

LONG BEACH POLICE DEPARTMENT



400 WEST BROADWAY
LONG BEACH, CA 90802

Phone
562 570-7381 RECORDS
Fax
562 570-7080 FAX

17-32687

Supplement No
ORIG

Reported Date
06/03/2017
Primary Offense
273.5(A) PC
Officer
HENRY, AARON FLOYD

Administrative Information

| | | | | | |
|--|--|-----------------------------------|---|--|----------------------------------|
| Agency LONG BEACH POLICE DEPARTMENT | | DR No 17-32687 | Supplement No ORIG | Reported Date 06/03/2017 | Reported Time 02:44 |
| CAD Call No 171540174 | Rpt Typ INCIDENT-RELEASED NOT BOOKED | | | | |
| Primary Offense INFLECT CORP INJURY; SPOUSE/COHABITANT | | | | | |
| Location SB 710 FY/GOLDEN SHORE | | | | | City LONG BEACH |
| ZIP Code 90802 | Rep Dist 083 | Area 01 | Beat 06 | From Date 06/03/2017 | From Time 02:40 |
| Officer 11024/HENRY, AARON FLOYD | | | Assignment PATROL/ADMIN/FTO/STAFF | 2nd Officer MANZO, ARMANDO | |
| Assignment PATROL/SOUTH/CFS/W1 | | Entered by 11024 | Assignment PATROL/ADMIN/FTO/STAFF | Confidential DOMESTIC VIOLENCE | |
| RMS Transfer Successful | Prop Trans Stat Successful | Approving Officer 10251 | | Approval Date 06/04/2017 | Approval Time 11:55:25 |
| RNB Supv Noted Yes | | | | | |

Person Summary

| | | |
|------|---------|-----------------------|
| Inv# | Inv# No | Name |
| DRV | 1 | See Confidential Page |
| Inv# | Inv# No | Name |
| RNB | 1 | See Confidential Page |

Vehicle Summary

| Inv# | Type | License No | State | Lic Year | Year | Make | Model | Body | Color |
|------|------|------------|-------|----------|------|------|-------|------|-------|
| OVI | | | | | | | | | |

17-32687

Supplement No:
ORIG**LONG BEACH POLICE DEPARTMENT****DRIVER 1: Confidential**

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|-------------|---------|-----------------------|
| Involvement | Invl No | Name |
| DRV | 1 | See Confidential Page |

RELEASED NOT BOOKED 1: Confidential

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|-------------|---------|-----------------------|
| Involvement | Invl No | Name |
| RNB | 1 | See Confidential Page |

Vehicle:

| | | | | | | | |
|-------------|---|---------|-----------------------|------------|-------|------|------|
| Involvement | Other vehicle invl (For use by officer) | | | License No | State | Year | Make |
| Style | Color | | | | | | |
| Carry-all | | | | | | | |
| Link | Involvement | Invl No | Name | | | | |
| DRV | RNB | 1 | See Confidential Page | | | | |

Narrative

On 8/3/2017 my partner (Officer A. Manzo #10229) and I (Officer A. Henry #11024) were working uniformed patrol as Unit 1A86 when we were dispatched to the 710 freeway at the Golden Shore exit. We assisted California Highway Patrol Unit C77-430 (Officer D. Howells #21108 and Officer F. Mosleh #21235) regarding a possible domestic violence and a driving under the influence investigation (Call #0174).

We were assisted by Unit 1A67 (Officer G. Stojanovski #11013 and Officer K. Skeen #6050), Unit 2A10 (Officer O. Deleon #10238), Unit 2S14 (Sergeant S. Benson #6205), 1S20 (Sergeant J. Steinhauser #6060), and Unit WC2 (Lieutenant T. Burford #5655).

Upon arrival, I observed a vehicle parked facing southbound in the painted center median north of the Golden Shore exit. The vehicle was a [REDACTED] A CHP patrol vehicle was stopped behind the [REDACTED]

A CHP officer was walking along the west shoulder searching for items with his flashlight. Another CHP officer was standing with a male (later identified as Devin Thomas Cotter) who was seated on the curb in the median and not handcuffed. The female (later identified as Jeannine M. Pearce) was seated in the back of the CHP patrol vehicle.

I contacted the CHP Officers and they told me the following:

Unit C77-430 was patrolling the 710 Freeway, when they discovered a vehicle stopped in the painted center median. The Officers exited their vehicle to investigate, and they found that the two subjects had a verbal conflict. Cotter threw multiple items from the vehicle onto the ground on the west shoulder and appeared to be under the influence of an alcoholic beverage. Cotter had a laceration on his forehead, but refused medical services.

The CHP officers stated that a possible domestic violence incident occurred, and that Pearce was possibly driving while under the influence of alcohol. The CHP officers were unsure if a crime occurred and wanted us to further investigate the situation. Neither one of the subjects were in handcuffs.

Upon contacting Cotter, I observed an approximate 3" abrasion above his right eyebrow. I asked Cotter if he had any form of identification and he began reaching into his front pockets to find his passport. I observed that while Cotter was sitting in an upright position he had trouble maintaining his balance and swayed from side to side while searching for his passport. Cotter began telling me his name and I noticed he had slurred speech. While I was writing down his information a CHP officer handed me Cotter's passport.

I questioned Cotter regarding the incident and he told me the following:

Pearce was driving southbound on the 710 Freeway and Cotter was the passenger when they began having a verbal argument. During the argument Pearce stopped the car in the painted median. Cotter and Pearce exited the vehicle, and continued arguing with each other at the rear of the vehicle. Cotter stated during their altercation he became, "Clumsy, tripped over his own feet and fell." Cotter stated that his fall caused him to bump his head. Cotter stated that Pearce did not do anything to cause him to fall on the ground and bump his head. Cotter stated there was no physical contact between he and Pearce. Cotter did not have any complaint of pain.

Cotter admitted to being intoxicated and consuming multiple, "cocktails." Cotter stated that Pearce had two "cocktails, hours ago" but was not "drunk." Cotter refused to specify what cocktails they consumed.

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| Report Officer |
| 11024/HENRY, AARON FLOYD |

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| Printed At |
| 11/28/2017 07:40 |

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| Page 2 of 4 |
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LONG BEACH POLICE DEPARTMENT**Narrative**

During my investigation Cotter was very vague with providing details of the incident. Cotter gave me the impression that he was purposely withholding details regarding the incident and that he just wanted to be able to leave the scene.

I asked one of the CHP officers to watch Cotter so I could get Pearce's statements.

As I approached the CHP vehicle, my partner informed me that Pearce was a City Council Member and to not further investigate the incident until Sergeant Steinhauer was briefed regarding the incident. I briefed Sergeant Steinhauer of Cotter's statement.

My partner instructed me to verify Cotter's identity and to standby with him while the investigation was conducted with Pearce. Using department resources I verified Cotter's identity and learned he was on DUI probation.

When I returned to Cotter he appeared to have mood swings. At times he became very agitated. He said, "If you do not breathalyza her, I'm going to call Chief Luna." Later, he asked for me and Officer G. Stojanovski's name and badge number. He threatened that if we did not let him leave soon, he was going to call Chief Luna. Officer Stojanovski and I provided our name and badge number to Cotter and he entered the information into his phone. Cotter stated multiple times he was going to stand up and walk across the freeway to the Hilton Hotel. I informed Cotter that he was being legally detained and he was not free to leave until the conclusion of our investigation.

In other moments he commented that he liked Long Beach Police Officers and would not want to cause Police Officers any trouble. He stated that he understood that we were following procedures and policies and that we were showing compassion.

While waiting, Cotter voluntarily informed me that he and Pearce had been dating for three years, but they did not have any children together. I asked Cotter if they were still dating and he replied, "I don't know, we'll see after this."

As the investigation continued Cotter became upset and stated that he had to urinate and that he was going to run across the freeway to go into the Hilton Hotel. I told Cotter that the investigation was still being conducted and he was not free to leave. Cotter said, "It's been almost two hours, either you arrest me or let me leave."

Officer G. Stojanovski informed Officer K. Skeen of Cotter's threat to run from the scene. Sergeant J. Steinhauer decided that Cotter would be transported to his house-boat at [REDACTED]

Officer K. Skeen informed Cotter that he would be handcuffed and searched for weapons prior to being transported to his residence. Cotter became uncooperative and stated that he did not want to be touched.

Officer K. Skeen told Cotter that if he did not want to be transported home, he was going to be arrested for public intoxication. Officer K. Skeen handcuffed Cotter and I conducted a search incident to arrest. I placed Cotter in the back of the patrol vehicle.

A few moments later, Lieutenant T. Burford approached the patrol vehicle and spoke to Cotter in my presence. Lieutenant T. Burford advised Cotter that he would allow him to be driven to his house-boat at [REDACTED] un-handcuffed.

I had Cotter turn his back towards the door of the patrol vehicle and I removed the handcuffs from his wrists.

Cotter was transported to his house-boat by Unit 1A67.

I was instructed by Lieutenant T. Burford to file an information only domestic violence report on the incident.

Officer O. Deleon and Sergeant S. Benson assisted on scene and conducted a DUI investigation with Pearce. For further see Officer O. Deleon's follow-up report.

17-32687

Supplement No
ORIG**LONG BEACH POLICE DEPARTMENT****Confidential Section**

Do not distribute

DRIVER 1: PEARCE, JEANNINE M

| | | | |
|---|------------|------------|--------------------|
| Involvement | Invl No | Type | Name |
| DRIVER | 1 | Individual | PEARCE, JEANNINE M |
| MNI | Race | Sex | DOB |
| | | | No |
| Confidential | Age | Juvenile? | Height |
| DOMESTIC VIOLENCE | | | |
| Type | Address | State | ZIP Code |
| HOME | | California | |
| City | | | Date |
| | | | 06/03/2017 |
| Type | ID No | OLS | |
| Operator License | | California | |
| Phone Type | Phone No | Date | |
| Cell | | 06/03/2017 | |
| RELEASED NOT BOOKED 1: COTTER,DEVIN THOMAS | | | |
| Involvement | Invl No | Type | |
| RELEASED NOT BOOKED | 1 | Individual | |
| Name | Mrs | Race | Sex |
| COTTER,DEVIN THOMAS | | | |
| DOB | Age | Juvenile? | Height |
| | | No | |
| Weight | Hair Color | Eye Color | Confidential |
| | | | DOMESTIC VIOLENCE |
| Type | Address | State | ZIP Code |
| HOME | | California | |
| City | | | Date |
| | | | 06/03/2017 |

LONG BEACH POLICE DEPARTMENT



400 WEST BROADWAY
LONG BEACH, CA 90802

Phone
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17-32687

Supplement No
0002

Reported Date
06/03/2017
Primary Offense
273.5 (A) PC
Officer
COBB, BENJAMIN PAUL

Administrative Information

| | | | | | |
|---|------------------------------------|--|---|------------------------------------|---|
| Agency LONG BEACH POLICE DEPARTMENT | | DR No 17-32687 | Supplement No 0002 | Reported Date 06/03/2017 | Reported Time 02:44 |
| CAD Call No 171540174 | Rpt Typ FOLLOW-UP REPORT | Primary Offense INFLECT CORP INJURY; SPOUSE/COHABITANT | | | |
| Location JUNIPERO AV/E 4TH ST | | | | | City LONG BEACH |
| ZIP Code 90814 | Rep Dist 441 | Area 02 | Beat 06 | From Date 06/03/2017 | From Time 02:40 |
| Officer 10761/COBB, BENJAMIN PAUL | | | Assignment PATROL/EAST/CFS/W1 | | |
| 3rd Officer CASTRO, JOSE MANUEL | | Assignment PATROL/EAST/CFS/W1 | | Entered by 10761 | Assignment PATROL/EAST/CFS/W1 |
| Confidential DOMESTIC VIOLENCE | RMS Transfer Successful | Prop Trans Stat Successful | Approving Officer 10251 | Approval Date 06/04/2017 | |
| Approval Time 11:55:31 | | | | | |
| Domestic Violence Yes | Victim Injured Yes | Photos Taken Yes | Statements Yes | | |
| # Offenses 1 | Offense 273.5 (A) PC | Description INFLECT CORP INJURY; | Complaint Type | | |

VICTIM 1: Confidential

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|------------------------|--------------------|--------------------------------------|
| Involved VIC | Inv No 1 | Name See Confidential Page |
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Narrative

On 06/03/17 at approximately 0555 hours, my partner (Officer J. Castro #10763) and I (Officer B. Cobb #10761), while working uniformed patrol and driving a marked black and white police vehicle as Unit 2A71, assisted multiple police units who were en route to the area of [REDACTED] regarding an unwelcome guest (call #282).

While en route, dispatch advised responding units that the calling party's boyfriend was following her. She told him she had called the police and he began walking away eastbound on [REDACTED].

The calling party and the "boyfriend" (later identified as Devin Cotter) had been contacted earlier in the night regarding a possible domestic violence incident and driving under the influence investigation (call #174). For further see the Original and other follow-up reports.

While driving the area, my partner and I observed a male subject matching the description described in the call walking northbound on Junipero Avenue approaching 4th Street. My partner and I activated our forward facing red light and siren and the subject stopped. We exited our vehicle and detained the subject pending further investigation of a crime. I asked for his name and he handed me a U.S. Passport. Utilizing department resources, I confirmed the subject's identity as Devin Cotter (the "boyfriend" described in the call).

While on scene with Cotter, he began spontaneously stating that he did not know why he was being detained. My partner advised him that he matched the description of an unwelcome subject in the area (call #282). Cotter stated, "She is the one that pushed me," and pointed at his forehead. I observed Cotter had what appeared to be an approximate 1/2-inch laceration with dried blood and swelling above his right eye.

Cotter continued spontaneously stating that he wanted her (referring to Jeannine Marie Pearce) arrested for assaulting him. Due to Cotter's visible injury and these statements, I asked Cotter to explain to me what had happened earlier and how he was injured. Cotter stated the following:

Cotter advised me that he and Pearce have been dating for approximately three years (off and on) and have no

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| Report Officer 10761/COBB, BENJAMIN PAUL | Printed At 11/28/2017 07:40 | Page 1 of 3 |
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LONG BEACH POLICE DEPARTMENT**Narrative**

children in common. He stated on 06/03/17 at approximately 0130 hours they were on their way home from a concert they had attended in the City of Anaheim. Cotter stated he and Pearce had been drinking at the concert celebrating his birthday. When asked, Cotter did not remember how many drinks he had at the concert. He went on to say, because Pearce was driving, he only allowed her to have approximately five drinks before driving home.

While on the freeway heading home, Cotter and Pearce began arguing about a "relationship" issues they were having (when I asked him to elaborate on the issue they were having, he advised me he did not remember). Cotter stated, "The argument was kind of a blur." At one point during the argument (while they were in the area of the 710 Freeway and Golden Shore) Pearce pulled the car over into a center median area and proceeded to yell at Cotter. Cotter stated he and Pearce exited the vehicle while on the freeway at one point. While outside of the vehicle, Pearce pushed Cotter with both of her hands on his upper torso. This caused Cotter to fall backwards and strike his forehead on the ground. Cotter stated his wound began bleeding immediately.

Cotter then added that he did not expect her to push him, but then said, "It isn't the first time she's been violent with me." Cotter then refused to elaborate on his last statement when I asked for further.

Cotter said shortly after Pearce pushed him to the ground, a California Highway Patrol unit arrived and detained them.

After hearing Cotter's story, I asked him again if he desired prosecution. Cotter stated, "See, that is what I'm kind of torn about." I stated, "You told me earlier that you wanted her arrested for assaulting you." Cotter then stated, "Well I want something done." I asked Cotter, "Do you desire prosecution and want her to go to jail?" Cotter replied, "Yes."

I advised Cotter that a report was being filed with his statements. Officer O. Deleon #10238 responded to the scene to take photos of Cotter's injuries. For further see photos.

Cotter was advised of his outstanding warrant and was placed under arrest by Officer Hazlewood and transported to our booking facility located at 400 W Broadway. For further see Officer C. Hazlewood's arrest report (DR# 170032692).

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Supplement No
0002**LONG BEACH POLICE DEPARTMENT****Confidential Section**

Do not distribute

VICTIM 1: COTTER,DEVIN THOMAS

| | | | |
|---|-----------------------------|-----------------------------|---------------------|
| Involvement | Invt No | Type | Name |
| VICTIM 1 | | Individual | COTTER,DEVIN THOMAS |
| MNI | Race | Sex | DOB |
| | | | |
| | | Age | Juvenile? |
| | | | No |
| Height | Weight | Hair Color | Eye Color |
| | | | |
| Confidential | Means of Attack | Extent of Injury | |
| DOMESTIC VIOLENCE | BATTERY, BRUISES, SCRATCHES | Severe body trauma-bruising | |
| Dom Violence | PRN | | |
| Yes | | | |
| Type | Address | | |
| HOME | | | |
| City | State | Date | |
| | California | 06/03/2017 | |
| Type | ID No | | |
| FBI number | | | |
| Type | ID No | OLS | |
| Operator License | | California | |
| Type | ID No | | |
| Package Number | | | |
| Type | ID No | OLS | |
| State Criminal Identification Number(CII) | | California | |
| Type | ID No | OLS | |
| Social Security Number | | California | |

LONG BEACH POLICE DEPARTMENT



400 WEST BROADWAY
LONG BEACH, CA 90802

Phone
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17-32687

Supplement No
0003

Reported Date
06/03/2017
Primary Offense
273.5 (A) PC
Officer
DELEON, OMAR

Administrative Information

| | | | | | | | | | | | | | |
|--------------|------------------------------|-----------------|------------------|-------------------|--|---------------|------------|---------------|--------------------|-----------|--------------|-------------------|----------|
| Agency | LONG BEACH POLICE DEPARTMENT | Dr No | 17-32687 | Supplement No | 0003 | Reported Date | 06/03/2017 | Reported Time | 12:11 | | | | |
| CAD Call No | 171540174 | Rpt Typ | FOLLOW-UP REPORT | Primary Offense | INFLECT CORP INJURY; SPOUSE/COHABITANT | | | | | | | | |
| Location | SB 710 FY/GOLDEN SHORE | | | | | | | City | LONG BEACH | | | | |
| ZIP Code | 90802 | Rep Dist | 083 | Area | 01 | Beat | 06 | From Date | 06/03/2017 | From Time | 02:40 | | |
| Officer | 10238/DELEON, OMAR | | | Assignment | PATROL/EAST/CFS/W1 | | | 2nd Officer | MANZO, ARMANDO | | | | |
| Assignment | PATROL/SOUTH/CFS/W1 | | | Entered by | 10238 | | | Assignment | PATROL/EAST/CFS/W1 | | Confidential | DOMESTIC VIOLENCE | |
| RMS Transfer | Successful | Prop Trans Stat | Successful | Approving Officer | 10251 | | | Approval Date | 06/04/2017 | | | Approval Time | 11:55:37 |

Narrative

DISPATCH:

On 06/03/2017 at 0331 hours, I (Officer Deleon #10238) was working uniformed patrol in a marked black and white police vehicle as unit 2A13. At the request of our department Drug Recognition Expert Instructor (Sergeant Benson #620/ IACP #18293) I responded to the area of the southbound 710 Freeway and Golden Shore regarding a possible DUI investigation (call #0174). I am a Certified Drug Recognition Expert (IACP #26865) and an expert in DUI investigations.

Upon arrival, I noticed a [REDACTED] was stopped on Shoreline Drive West facing in a south direction just north of the Ocean Blvd overpass at the split to Golden Shore.

I contacted Unit C77-430 (California Highway Patrol Officer Howells #21108 and California Highway Patrol Officer Mosceh #21235) and they told me the following: They were assisting a stranded motorist with a flat tire stopped along the right shoulder of the 710 Freeway north of the downtown exit. While assisting that motorist their attention was drawn to another vehicle that appeared be stopped on the freeway south of their location. All of the doors and rear hatch of the vehicle were wide open. After assisting the motorist they drove to the location (Shoreline and Golden Shore) where the vehicle was stopped. When they arrived they noticed a female subject (later identified as Jeannine Marie Pearce) and a male subject (later identified as Devin Thomas Cotter) arguing outside of the vehicle on the right shoulder of the roadway.

California Highway Patrol Officer Mosceh and California Highway Patrol Officer Howells further stated that upon contacting both subjects an allegation of domestic violence was made, and Pearce identified herself as a Long Beach City Council Person. Additionally they detected an odor of an alcoholic beverage emitting from the breath of both subjects and inquired who had been driving the vehicle. Pearce indicated that she was the owner and driver of the vehicle. They stated Pearce was placed in the back seat of their patrol, but was not handcuff until our arrival.

Sergeant Benson and I both contacted Pearce in the back seat of CHP's vehicle, who was typing on her phone (I observed the screen was lit up). We identified ourselves and advised her we had been called to assist with a possible DUI investigation. She cooperative and put her phone in her purse. (She stated had been typing an email to my staff and her phone died.) I asked Pearce to exit the vehicle and directed her to the front of a Long Beach Police vehicle. She exited the vehicle and walked approximately 25 feet without assistance. I did not observe any unsteadiness in her walk.

As we were standing in front of the police vehicle, Pearce stated they (she and Cotter) had gone to The House of Blues located in the City of Anaheim for a concert. She stated she had a few alcoholic beverages, including

Report Officer
10238/DELEON, OMAR

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LONG BEACH POLICE DEPARTMENT**Narrative**

whiskey while there. After they left and were driving back to Long Beach, they began to argue in the vehicle. Cotter attempted to remove the keys from ignition while she was driving during the argument. Pearce stated she feared that Cotter was going to remove the key while driving so she stopped her vehicle. Cotter became even more upset and removed the keys from her ignition. She then observed Cotter throw her vehicle keys in the nearby bushes and began throwing all of her items out of the vehicle.

Pearce stated she attempted to flag down several passing vehicles but nobody would stop for her. She further stated that she was unable to call police due to her cell phone having a dead battery. She stated that after an unknown amount of time California Highway Patrol arrived and contacted them, at which time they placed her in the back seat of their patrol vehicle.

Based on her statements and the incident, I asked Sergeant Benson to stand by with Pearce while I retrieved my clipboard and LBPDU ARREST Report form. Upon my return, Sergeant Benson informed me that she could detect a slight odor of an alcoholic beverage on Pearce's breath and that Pearce had admitted to "having a few drinks tonight."

PRELIMINARY INTERVIEW QUESTIONS:

It should be noted that it was 0400 hours when I began asking the preliminary interview questions. It was approximately 63 degree Fahrenheit with a slight breeze and a light mist. The area where the SFST's were conducted was lit with vehicle spotlights, headlights and overhead streetlights.

I asked Pearce the Standardized Field Sobriety Test (SFST) preliminary interview questions (refer to DUI Arrest Form). Pearce admitted to consuming two IPA large beers, one mixed whiskey cinnamon drink, and one shot of an unknown type of whiskey between the hours of 1900 and 2345, when she left the bar. Based on her statement of driving, and the fact that I could smell and odor an alcoholic beverage coming from her person, I asked her if she would submit to SFST and she stated, "Yes".

PSYCHOPHYSICAL:

I checked her eyes for *horizontal gaze nystagmus*.

Observation - She was able to smoothly track my pen. She had distinct and sustained nystagmus at maximum deviation.

Modified Romberg Balance - I asked her if she understood my instructions and she stated, "Yes".

Observations - She had a circular sway of approximately 2 to 3 inches. Her internal estimation of 30 seconds was 21 seconds.

Once she was done, Pearce did make a statement that it was kind of "chilly out". She was wearing a black sleeveless shirt and blue jeans.

Walk and Turn - While explaining the instructions she maintained the position of instruction. I asked her if she understood my instructions and she stated, "Yes". She asked if she could remove her shoes for this test and performed it with bare feet.

Observations - During the first nine steps she missed heel to toe three times and took 10 steps. She made an improper turn and during the second nine steps she missed heel to toe two times and took 10 steps. After she completed the test, she put her shoes back on.

One Leg Stand - I asked her if she understood and she stated, "Yes".

Observation - (right foot raised) During the 30 second observation she dropped her foot once at count 21.

Finger to Nose - I asked her if she understood and she stated, "Yes".

Observation - She missed her nose three times, but followed the instructions given to her.

After the psychophysical tests were completed, Pearce asked, "I thought you did a breath test first." Sergeant Benson explained why we do those last, in case of drug impairment, and asked if she would like to provided a field

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Supplement No
0003

LONG BEACH POLICE DEPARTMENT

Narrative

breath sample. She replied, "Yes." I administered a preliminary alcohol screen (PAS serial #038355 at 63 degrees Fahrenheit) she provided a breath sample of .06% B.A.C at 0420 hours.

At the conclusion of the SFST, and based on the fact that impaired driving was not witnessed as Pearce was already outside of the vehicle when she was initially contacted; I was unable to determine that at the time of driving Pearce was impaired to the extent she unable to safely operate a motor vehicle. Sergeant Benson witnessed the entire investigation and concurred with my opinion.

LONG BEACH POLICE DEPARTMENT



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LONG BEACH, CA 90802

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17-32687

Supplement No
0004

Reported Date
06/03/2017
Primary Offense
273.5 (A) PC
Officer
CASTRO, RUBI

Administrative Information

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|---|------------------------------------|--|------------------------------------|--------------------------------|
| Agency LONG BEACH POLICE DEPARTMENT | DR No 17-32687 | Supplement No 0004 | Reported Date 06/03/2017 | Reported Time 16:50 |
| CAD Call No 171540174 | Rpt Typ FOLLOW-UP REPORT | Primary Offense INFLECT CORP INJURY; SPOUSE/COHABITANT | | |
| Location SB 710 FY/GOLDEN SHORE | | | | City LONG BEACH |
| ZIP Code 90802 | Rep Dist 083 | Area 01 | Beat 06 | From Date 06/03/2017 |
| Officer 6232/CASTRO, RUBI | | From Time 02:40 | | |
| 2nd Officer MANZO, ARMANDO | | Assignment INVEST/DET/SPEC VIC/DOM VIOL | | |
| Assignment PATROL/SOUTH/CFS/W1 | | Entered by 6232 | | |
| Confidential DOMESTIC VIOLENCE | | Assignment INVEST/DET/SPEC VIC/DOM VIOL | | |
| RMS Transfer Pending | | Approval Date 06/25/2017 | | |
| Approving Officer 6232 | | Approval Time 17:17:48 | | |

Narrative

On 06/03/17 at approximately 1537 hours, I (Detective R. Castro # 6232) contacted Devin Cotter at the Long Beach Police Department Men's Jail (400 W Broadway Long Beach Ca). I advised Cotter about a pending investigation involving J. Pearce and [REDACTED] allegations in which he refused to talk.

I asked Cotter to tell me more about the domestic violence allegations made against J. Pearce and he agreed to provide a statement. Cotter then related the following.

Summary of Interview:

Cotter explained he has been in a dating relationship with J. Pearce for approximately 3 1/2 years. He stated that her husband is aware of the affair. He typically spends time at her house [REDACTED] whenever her husband [REDACTED] is not home. Cotter said they have had multiple rendezvous outside her home and their children typically have play dates together.

Last night he and Pearce went out to the House of Blues in the city of Anaheim. They went out to celebrate his upcoming birthday together. Cotter explained he had quite a bit to drink. He explained that the bartenders are big about offering shots with that beer.

While on the way home, he and Pearce had a heated argument regarding her loyalty to her [REDACTED]. Cotter was upset because he believes [REDACTED] has been spreading rumors about him and "defaming" him yet Pearce continues to keep him around.

During the argument, Pearce pulled off to the side of the road. They each exited the vehicle and continued to argue outside of the vehicle. Also during the argument, Pearce accused him of taking her car keys. He stated that she later found them in her purse.

Cotter admitted to me that he had thrown a couple items out of her vehicle but denied having her car keys. As Cotter was grabbing some items from out of her trunk, Pearce pushed him using both her hands.

He explained that a combination of the push as well as his level of intoxication caused him to fall back and hit the pavement. Cotter described the shove as a "get your hands off that sort of thing". Cotter told me he did not think Pearce intended for him to fall.

I asked Cotter why did he go to her house after the incident and he told me he wanted to check if she was okay. He stated that his parents live near by her house so he was already heading that way to visit them. Cotter stated

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| Report Officer 6232/CASTRO, RUBI | Printed At 11/28/2017 07:40 | Page 1 of 2 |
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17-32687

Supplement No
0004

LONG BEACH POLICE DEPARTMENT

Narrative

he sent Pearce a text message prior to his arrival. Once at the location, Pearce made it clear she did not want to speak to him so he left.

Cotter does not wish to prosecute. He wanted this to all go away. I offered Cotter counseling services.

I recorded the interview. See attached CD-R.

I collected his phone [REDACTED] from prisoners property and placed it into evidence.

LONG BEACH POLICE DEPARTMENT



400 WEST BROADWAY
LONG BEACH, CA 90802

Phone
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Fax
562 570-7080 FAX

17-32687

Supplement No
0005

Reported Date
06/03/2017
Primary Offense
273.5 (A) PC
Officer
STOJANOVSKI, GORDAN

Administrative Information

| | | | | | |
|---|------------------------------------|--|---|------------------------------------|--|
| Agency LONG BEACH POLICE DEPARTMENT | | OR No 17-32687 | Supplement No 0005 | Reported Date 06/03/2017 | Reported Time 19:50 |
| CAD Call No 171540174 | Rpt Typ FOLLOW-UP REPORT | Primary Offense INFLECT CORP INJURY; SPOUSE/COHABITANT | | | |
| Location SB 710 FY/GOLDEN SHORE | | | | | City LONG BEACH |
| ZIP Code 90802 | Rep Dist 083 | Area 01 | Beat 06 | From Date 06/03/2017 | From Time 02:40 |
| Officer 11013/STOJANOVSKI, GORDAN | | | Assignment PATROL/ADMIN/FTO/STAFF | | 2nd Officer MANZO, ARMANDO |
| Assignment PATROL/SOUTH/CFS/W1 | | Entered by 11013 | Assignment PATROL/ADMIN/FTO/STAFF | | Confidential DOMESTIC VIOLENCE |
| RMS Transfer Pending | Approving Officer 10251 | Approval Date 06/04/2017 | | Approval Time 11:55:45 | |

Narrative

On 06/03/2017 at approximately 0247 hours, my partner (Officer K. Skeen #6050) and I (Officer G. Stojanovski #11013) while working as Unit 1A67, assisted California Highway Patrol Unit C77-430 (Officer D. Howells #21108 and Officer F. Mosleh #21235) at southbound 710 freeway and Golden Shore, regarding a vehicle investigation. Call# 0174.

Upon arrival, I observed a stopped vehicle [REDACTED] with an open trunk. The Highway Patrol vehicle was positioned behind the [REDACTED] Unit 1A66 (Officer A. Manzo #10229 and Officer A. Henry #11024) were present at the location as well.

My partner and I made contact with the Highway Patrol Officers who stated that the driver and the passenger of the [REDACTED] had an argument and numerous items were thrown out of the vehicle. The Highway Patrol Officers advised us that a female subject, the driver of the [REDACTED] (later identified as Jeannine Pearce) was placed in their patrol vehicle. My partner suggested that I should go and interview Pearce.

Pearce was sitting in the backseat of the Highway Patrol vehicle, unhandcuffed. I introduced myself as a Long Beach Police Officer and conducted the initial field interview. Upon completion, Pearce stated that she and the passenger of the [REDACTED] (later identified as Devin Cotter) were driving from a social event and had some alcoholic drinks. Pearce stated she only had one drink and Cotter had a few. While driving her vehicle, Cotter and Pearce started a verbal argument. Cotter made several attempts to remove the key from the ignition while the vehicle was still traveling. Pearce was scared and pulled over. As soon as the vehicle stopped, Cotter began to throw miscellaneous items outside of the vehicle.

Pearce further stated that Cotter was her former employee and she dated him for approximately 3 years in the past, currently their relationship was solely as friends. During my interview with Pearce, my partner Officer Skeen advised me that he would continue the interview with Pearce.

During the interview between my partner and Pearce, I approached Cotter.

Cotter was sitting on the curb in front of the [REDACTED] His right eyebrow was swollen and bruised. Cotter's speech was slurred and he kept repeating his sentences. I believed Cotter was intoxicated. Cotter stated he had few alcoholic drinks however, Pearce had more alcoholic drinks compared to Cotter and that she was driving the vehicle while impaired due to alcohol. I asked Cotter how he sustained the injury on his right eyebrow. Cotter stated that as soon as the [REDACTED] stopped, he got out of the vehicle, started walking towards the back, tripped and fell.

Cotter continuously asked the question as to why was he detained? Officer Henry and I explained to Cotter he

Report Officer
11013/STOJANOVSKI, GORDAN

Printed At
11/28/2017 07:40

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LONG BEACH POLICE DEPARTMENT**Narrative**

was detained for littering in public, public intoxication, and also advised him he was detained due to an ongoing investigation regarding the driver of the [REDACTED]

Cotter appeared confused, and kept repeating the same question and was not satisfied with the answer provided by Officer Henry and myself. Cotter asked for my name and badge number as well as Officer Henry's name and badge number. Cotter stated he would personally call Chief Luna via his cell phone and place a complaint. We provided him with the information and he typed into his phone.

Cotter further became agitated and did not want to sit on the curb any longer. He made few attempts to stand up however, Officer Henry told him to sit down. Cotter wanted to urinate and told us he would stand up and urinate at the nearest tree. Officer Henry told Cotter if he attempted to stand up on his feet, he would be arrested. Officer Henry told Cotter to be a little more patient and to wait for the investigation to finish. Cotter continued to state that he will stand up and he did not care if he was arrested.

At that time, I went to my partner Officer Skeen and advised him about Cotter's attempts. Officer Skeen approached Cotter and explained to him that he would have the option to be transported home, which would require of him to wait briefly or he could be transported to jail instead for his level of intoxication.

Cotter responded, but I was unable to understand what was said due to his back facing me. Officer Skeen handcuffed Cotter, and then Officer Henry searched Cotter and placed him in a patrol vehicle.

Lieutenant T. Burford contacted Cotter while he was seated in the patrol car. Lieutenant T. Burford explained the situation to Cotter one more time. Cotter agreed to be transported home. Officer Henry removed the handcuffs from Cotter. Officer Skeen and I transported Cotter to his houseboat at [REDACTED] in [REDACTED]. We observed Cotter enter the gate of the [REDACTED]. Cotter thanked us and wished us to be safe for the rest of the evening.

LONG BEACH POLICE DEPARTMENT



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Phone
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17-32687

Supplement No
0006

Reported Date
06/03/2017
Primary Offense
273.5 (A) PC
Officer
SKEEN, KEVIN M

Administrative Information

| | | | | | | | | | | | | |
|----------------|------------------------------|-------------------|------------------|-----------------|--|---------------|---------------------|---------------|---------------------|-------------------|-------------|----------------|
| Agency | LONG BEACH POLICE DEPARTMENT | DR No | 17-32687 | Supplement No | 0006 | Reported Date | 06/03/2017 | Reported Time | 20:18 | | | |
| CAD Call No | 171540174 | Rpt Typ | FOLLOW-UP REPORT | Primary Offense | INFLECT CORP INJURY; SPOUSE/COHABITANT | | | | | | | |
| Location | SB 710 FY/GOLDEN SHORE | | | | | | | City | LONG BEACH | | | |
| ZIP Code | 90802 | Rep Dist | 083 | Area | 01 | Beat | 06 | From Date | 06/03/2017 | From Time | 02:40 | |
| Officer | 6050/SKEEN, KEVIN M | | | | | | | Assignment | PATROL/SOUTH/CFS/W1 | | 2nd Officer | MANZO, ARMANDO |
| Assignment | PATROL/SOUTH/CFS/W1 | | Entered by | 6050 | | Assignment | PATROL/SOUTH/CFS/W1 | | Confidential | DOMESTIC VIOLENCE | | |
| RMS Transfer | Pending | Approving Officer | 10251 | | Approval Date | 06/04/2017 | | Approval Time | 11:56:24 | | | |
| RMS Supv Noted | Yes | Statements | Yes | | | | | | | | | |

Narrative

On 06/03/17 my partner, (Officer G. Slojanovski #11013) and I, (Officer K. Skeen #6050) were working uniformed patrol in a marked black and white police vehicle as Unit 1A67 dispatched to assist CHP regarding a possible intoxicated driver, call # 174.

Unit 1A66, (Officer A. Henry # 11024 & Officer A. Manzo # 10229) also assisted on the call and were on scene prior to our arrival.

Upon our arrival, we were requested by Officer Manzo to contact the female, later identified as Jeannine Pearce, who was seated in the back seat of the CHP cruiser un-handcuffed. My partner opened the rear passenger door of the CHP unit and contacted Pearce introducing himself and requested her personal information for a field interview card. As my partner was gathering her information, Pearce identified herself as a current Long Beach City Council District two board member.

Hearing that information, I then interrupted his interview with Pearce and I contacted her. I introduced myself and asked her once again to identify herself. Pearce once again stated that she was a current District two Council member of Long Beach.

I then asked Pearce what had happened tonight and she told me the following information. Pearce let me know that she and her ex-chief of staff, later identified as Devin Cotter, were in the City of Anaheim, Down Town Disney House of Blues, attending a concert. She and Cotter had several drinks during their stay at the House of Blues and after the concert had ended drove back to Long Beach. During the drive, Cotter became angry with her for past issues while they were dating months ago. He screamed at her over and over while grabbing items in the car and throwing them. Cotter reached over on several occasions and grabbed the steering wheel. Each time he did, Pearce smacked Cotter's hand away and told him to stop.

As they were traveling southbound 710 Fwy approaching the downtown area, Cotter attempted to remove the ignition key from the dash while the car was in motion. Fearing for her safety, Pearce pulled the vehicle over just prior to the Golden Shore off ramp and Shoreline Drive. Cotter then removed the car key from the ignition, opened the front passenger door and began to throw items out of the car onto the freeway off ramp.

Pearce lost site of Cotter while he was outside the vehicle as he threw items, but heard a loud thump and a moan from Cotter. She exited her vehicle, walked around the front end and observed Cotter on the ground face down in the street. He stood up and she saw that he had a small laceration upon the right eye.

Report Officer
6050/SKEEN, KEVIN M

Printed At
11/28/2017 07:40

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LONG BEACH POLICE DEPARTMENT**Narrative**

Pearce told me that she and Cotter had been dating for a period of time and stopped seeing each other approximately three months ago. During my conversation with Pearce I noticed a smell of alcohol coming from her breath as she spoke to me.

I explained to Pearce that I would be back and she needed to stay in the car as we continued our investigation.

I contacted Communications via radio and requested a supervisor to respond to the scene. Unit 1S20 (Sgt. J. Steinhauser # 6060) responded.

WC2, (Lt T. Burford # 5655) was notified by Sgt Steinhauser and responded to the scene.

I contacted CHP Officers and they told me that they were traveling southbound the 710 Fwy going to make a loop around to get back onto the northbound 710 Fwy when they observed this vehicle parked with its doors open. They observed a male white, later identified as Cotter, throwing items into the street. They contacted each of the subjects and observed that both showed the objective signs of being intoxicated. They separated the parties and upon finding out that a possible domestic violence incident may have occurred, and that the Pearce identified herself as a City of Long Beach Council member, contacted Long Beach Police to assist with the investigation.

During the investigation, I was requested by Lt Burford to examine and estimate the length of Cotter's laceration. I observed an approximately one inch in overall length laceration above his right eye with small amounts of dry blood. Cotter was slurring his speech as he spoke, had blood shot watery red eyes and had a strong odor of an alcoholic beverage coming from his breath. He showed the objective signs of being intoxicated. After I was finished examining Cotter I informed Lt Burford of my findings.

Unit 2S14, (Sgt. S. Benson # 6205) and Unit 2A13, (Officer O. Deleon # 10238) responded to the scene and conducted the investigation relating to the possible DUI of Pearce. (See their report for further information)

During their investigation I could hear Cotter screaming at Officers Stojanovski & Henry regarding going to the local news paper and media outlets to report that Pearce was getting special treatment for drunk driving and that if an investigation was not conducted, everyone will know about it in the morning.

Lt Burford made several notifications to seek directions regarding in the incident and disposition of subjects Cotter and Pearce once the investigation was concluded. Subject Cotter was informed that we were waiting for directions from our supervisor and to please be patient.

At the conclusion of the investigation, I was requested to transport Cotter to his boat at [REDACTED] off of [REDACTED] by Sgt. Steinhauser. Upon approaching Cotter I advised him that we were taking him to his boat, I requested that he stand up so I could search him prior to entering my vehicle. Cotter objected to being taken to his boat, told me that he was going to be taken to the Hilton Hotel and that he was not going to be searched.

Because of his level of intoxication and now his unwillingness to comply with my instructions, I gave him one more chance to cooperate. I told him that he had two choices, one being that we take him to his boat or the other he was going to be arrested for intoxication in public.

Cotter told me again that he was not going to his boat and not going to enter the car. I then, for my safety, handcuffed Cotter due to his uncooperative demeanor. Officer Henry then searched him and placed him in the backseat. He was seat belted in for his safety.

Lt Burford contacted Cotter and advised him that if he wished to be transported to his boat that it was still possible and the handcuffs can come off. Cotter completely agreed and apologized to Lt Burford and us for his uncooperative demeanor and further stated that we were acting professional with him.

Officer Henry removed the handcuffs from Cotter while he sat in the vehicle and then seat belted him back in.

Officer Stojanovski and I then transported him to his houseboat at [REDACTED] in the [REDACTED] where he immediately went to the community bathroom building for a period of several minutes. When he exited the building we escorted him to his dock where he told us the following statements. "You guys were professional and you stay safe out there." We then watched Cotter enter the [REDACTED] and walk to his boat.

17-32687

Supplement No
0006

LONG BEACH POLICE DEPARTMENT

Narrative

Sgt Steinhauser was notified of the RNB.

Report Officer

6050/SKEEN, KEVIN M

Printed At

11/28/2017 07:40

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LONG BEACH POLICE DEPARTMENT



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17-32687

Supplement No
0007

Reported Date
06/03/2017
Primary Offense
273.5 (A) PC
Officer
CASTRO, RUBI

Administrative Information

| | | | | |
|---|------------------------------------|--|------------------------------------|------------------------------------|
| Agency LONG BEACH POLICE DEPARTMENT | CR No 17-32687 | Supplement No 0007 | Reported Date 06/03/2017 | Reported Time 18:47 |
| CAD Call No 171540174 | Rpt Typ FOLLOW-UP REPORT | Primary Offense INFLECT CORP INJURY; SPOUSE/COHABITANT | | |
| Location [REDACTED] | | | | City LONG BEACH |
| ZIP Code [REDACTED] | Rep Dist [REDACTED] | Area [REDACTED] | Beat [REDACTED] | From Date 06/03/2017 |
| | | | | From Time 02:40 |
| Officer 6232/CASTRO, RUBI | | Assignment INVEST/DET/SPEC VIC/DOM VIOL | | |
| 2nd Officer MANZO, ARMANDO | | Assignment PATROL/SOUTH/CFS/WI | | Entered by 6232 |
| | | Assignment INVEST/DET/SPEC VIC/DOM VIOL | | |
| Confidential DOMESTIC VIOLENCE | RMS Transfer Successful | Prop Trans Stat Successful | Approving Officer 6232 | Approval Date 06/06/2017 |
| Approval Time 12:04:16 | | | | |

OTHER PERSON INVOLVEMENT 1: Confidential

| | | |
|---------------------------|---------------------|--------------------------------------|
| Involvement OPI | Invl No 1 | Name See Confidential Page |
|---------------------------|---------------------|--------------------------------------|

WITNESS 1: Confidential

| | | |
|---------------------------|---------------------|--------------------------------------|
| Involvement WIT | Invl No 1 | Name See Confidential Page |
|---------------------------|---------------------|--------------------------------------|

WITNESS 1: Confidential

| | | |
|---------------------------|---------------------|--------------------------------------|
| Involvement WIT | Invl No 1 | Name See Confidential Page |
|---------------------------|---------------------|--------------------------------------|

Narrative

On 06/03/17 at approximately 1847 hours, I (Detective R. Castro # 6232) I spoke with WIT [REDACTED] via telephone.

Summary of WITNESS [REDACTED] Statements:

WIT [REDACTED] received a text message from Pearce at approximately 0200 hours. The message stated, "Help me Help". Pearce also advised him of her location via text.

WIT [REDACTED] stated he had been out drinking so he took an Uber to her location (Ocean Blvd and Golden Shore). While enroute, he received another text from Pearce stating, "Cell dying maybe Cops please". He clarified that he did not know whether she wanted him to call the police. He told me he was under the assumption that it had something to do with Devin Cotter because of recent "stalking" behavior.

Upon arrival, police advised him to move along so he left and went home.

At approximately 0600 hours, [REDACTED] received another message from Pearce asking for him to come pick her up at the same location. WIT [REDACTED] stated he was still feeling intoxicated so he woke up his girlfriend [REDACTED] and asked her to drive him.

WIT [REDACTED] and WIT [REDACTED] drove to Pearce's home [REDACTED] and called for an Uber. WIT [REDACTED] left her personal vehicle and they both took an Uber together to the location. Once there, they drove Pearce back home.

Upon arriving at Pearce's home, WIT [REDACTED] saw Devin Cotter. Cotter appeared to have a "big gash" on his eye. WIT [REDACTED] and WIT [REDACTED] were in the process of switching back into their own vehicle when he saw Cotter approach Pearce.

Report Officer
6232/CASTRO, RUBI

Printed At
11/28/2017 07:40

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LONG BEACH POLICE DEPARTMENT

Narrative

WIT [REDACTED] believes that Pearce got nervous to see Cotter, so she got into the drivers seat of her vehicle in order to drive away. WIT [REDACTED] stated he told Cotter to leave Pearce alone and Cotter replied "I've already fired her lawyer, do you want me to take it further". WIT [REDACTED] understood this to be a "veiled threat" towards him. WIT [REDACTED] got into WIT [REDACTED] vehicle and proceeded to drive away. WIT [REDACTED] stated he observed Cotter approach Pearce's vehicle and heard him yell, "This isn't fair this isn't fair".

WIT [REDACTED] explained that he and Pearce had retained an attorney (Houman Fakhimi) incase Cotter attempted to make allegations against them (He did not clarify). Mr. Fakhimi is the attorney that Cotter made a reference to during their encounter with each other.

WIT [REDACTED] said he later spoke with Fakhimi and found out he had not been fired.

I asked WIT [REDACTED] to describe the "stalking" incidents that he says he witnessed. WIT [REDACTED] stated Cotter has appeared at several events where Pearce was. According to WIT [REDACTED] Cotter will actively look for Pearce when she does not answer her cell. WIT [REDACTED] stated he believes Pearce and Cotter still have contact with each other because he has noticed his name appear on her cell phone. He also stated that Pearce will use an phone application in order to keep in contact with Cotter. WIT [REDACTED] does not approve of them communicating.

I asked WIT [REDACTED] whether Pearce had told him that she was being stalked and he said no. WIT [REDACTED] believes Cotter has threatened and intimidated Pearce but declined to provide me with further details at this time.

I then spoke with WIT [REDACTED]

Summary of WITNESS [REDACTED] Statements:

WIT [REDACTED] received a phone call from WIT [REDACTED] at approximately 0300 hours. He told her that Pearce had been arrested. WIT [REDACTED] left Los Angeles and drove to his residence.

At 0347 hours she arrived in Long Beach and fell asleep on his couch. At approximately 0530 hours, WIT [REDACTED] woke her up and asked her to take him to Pearce's location.

WIT [REDACTED] and WIT [REDACTED] drove to Pearce's location then drove her home.

At approximately 0600 hours, WIT [REDACTED] saw Cotter in front of Pearce's residence. Cotter and WIT [REDACTED] exchanged a few curse words with one another. WIT [REDACTED] heard Cotter say, "Do something" and also made a reference to an attorney being fired. She stated WIT [REDACTED] did not engage with Cotter and walked away. WIT [REDACTED] entered her vehicle and they drove away.

While leaving Pearce's residence, WIT [REDACTED] said she observed Cotter following Pearce as she slowly drove away. WIT [REDACTED] has not witnessed prior violent behavior between the couple in the past. WIT [REDACTED] is aware of their dating relationship because in April 2017 (Grand Prix weekend) she shared an Uber ride with the couple. According to WIT [REDACTED] she observed them holding hands in the car.

For further see attached CD-R

On 06/04/17 at approximately 1228 hours, I called [REDACTED] (Jeannine Pearce's husband) and left a voice message with my contact information. It is believed that [REDACTED] was inside the residence when this incident occurred.

17-32687

Supplement No
0007**LONG BEACH POLICE DEPARTMENT****Confidential Section**

Do not distribute

OTHER PERSON INVOLVEMENT 1:

| | | | | | | |
|--------------------------|----------|------------|------------|------|-----|--|
| Involved | Inv No | Type | | | | |
| OTHER PERSON INVOLVEMENT | 1 | Individual | | | | |
| Name | | | MN | Race | Sex | |
| Confidential | PRN | | | | | |
| DOMESTIC VIOLENCE | | | | | | |
| Type | Address | | | | | |
| HOME | | | | | | |
| City | State | ZIP Code | Date | | | |
| | | | 06/03/2017 | | | |
| Phone Type | Phone No | Date | | | | |
| Cell | | 06/03/2017 | | | | |

WITNESS 1:

| | | | | | | |
|--|----------|------------|------------|-----|-----------|--------------|
| Involved | Inv No | Type | Name | | | |
| WITNESS | 1 | Individual | | | | |
| MNI | Race | Sex | DOB | Age | Juvenile? | Confidential |
| | | | | | No | PRN |
| DOMESTIC VIOLENCE | | | | | | |
| Type | Address | | | | | |
| HOME | | | | | | |
| City | State | ZIP Code | Date | | | |
| | | | 06/04/2017 | | | |
| Type | ID No | OLS | | | | |
| Operator License | | California | | | | |
| Type | ID No | OLS | | | | |
| State Criminal Identification Number (CII) | | California | | | | |
| Phone Type | Phone No | Date | | | | |
| Cell | | 06/04/2017 | | | | |

WITNESS 1:

| | | | | | | |
|---------------------------|------------|------------|------------|-----|-----------|--------------|
| Involved | Inv No | Type | Name | | | |
| WITNESS | 1 | Individual | | | | |
| MNI | Race | Sex | DOB | Age | Juvenile? | Confidential |
| | | | | | No | PRN |
| DOMESTIC VIOLENCE | | | | | | |
| Type | Address | | | | | |
| HOME | | | | | | |
| City | State | ZIP Code | Date | | | |
| | California | | 06/04/2017 | | | |
| Type | ID No | OLS | | | | |
| State Identification Card | | California | | | | |
| Phone Type | Phone No | Date | | | | |
| Cell | | 06/04/2017 | | | | |

LONG BEACH POLICE DEPARTMENT



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17-32687

Supplement No
0008

Reported Date
06/03/2017
Primary Offense
273.5 (A) PC
Officer
CASTRO, RUBI

Administrative Information

| | | | | | |
|---|------------------------------------|--|---|---|-------------------------------|
| Agency LONG BEACH POLICE DEPARTMENT | | OR No 17-32687 | Supplement No 0008 | Reported Date 06/03/2017 | Reported Time 14:07 |
| CAD Call No 171540174 | Rpt Typ FOLLOW-UP REPORT | Primary Offense INFLECT CORP INJURY; SPOUSE/COHABITANT | | | |
| Location SB 710 FY/GOLDEN SHORE | | | | | City LONG BEACH |
| ZIP Code 90802 | Rep Dist 083 | Area 01 | Beat 06 | From Date 06/03/2017 | From Time 02:40 |
| Officer 6232/CASTRO, RUBI | | | Assignment INVEST/DET/SPEC VIC/DOM VIOL | | |
| 2nd Officer MANZO, ARMANDO | | Assignment PATROL/SOUTH/CFS/W1 | Entered by 6232 | Assignment INVEST/DET/SPEC VIC/DOM VIOL | |
| Confidential DOMESTIC VIOLENCE | | RMS Transfer Pending | Approving Officer 6232 | Approval Date 06/25/2017 | |
| Approval Time 19:21:20 | | | | | |

Narrative

On 06/03/17 at approximately 1407 hours, I (Detective R. Castro # 6232) contacted J. Pearce via telephone. She advised me she had contact with her attorney (later identified as (Houman Fakimi) 30 minutes prior to my call. I spoke with J. Pearce regarding the separate allegations of domestic violence and [REDACTED] In regards to the domestic violence she related the following.

Summary of Statement:

Pearce said she was in the process of obtaining a restraining order against Cotter. Pearce explained that she had filled out the restraining order but opted to not submit it to the court as of yet.

She explained that she recently hired an attorney (later identified as Houman Fakimi) a couple weeks back. She said Fakimi had been reviewing the restraining order documents prior to court submission.

According to Pearce, they (meaning Pearce and Fakimi) were trying to settle the case civilly and out of the courtroom.

Fakimi sent Cotter a "Cease and Desist" letter on Pearce's behalf. Pearce later mentioned that the letter included her current [REDACTED] and her husband [REDACTED] She stated she would provide me with a copy of the letter.

Pearce stated that her attorney wanted to sit down with all three parties (Cotter, [REDACTED] and herself) in order to make arrangements to stay out of the courtroom and still respect each other's space.

Later during the interview, Pearce stated that [REDACTED] and [REDACTED] had also filled out the restraining order paperwork.

Incident of 06/03/17:

Pearce and Cotter were returning to Long Beach. Pearce and Cotter had a verbal argument over different issues of their relationship. She said Cotter was upset that she had blocked him from her Face Book account and he wanted her to unblock him. She agreed but declined to add him as a friend.

Cotter was also upset that the "Cease and Desist" letter sent by her attorney included both [REDACTED] and [REDACTED] names. Cotter does not like either one.

While Pearce was driving, Cotter placed his hand on the steering wheel and pulled it. This caused her to pull over

Report Officer
6232/CASTRO, RUBI

Printed At
11/28/2017 07:40

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LONG BEACH POLICE DEPARTMENT**Narrative**

and Cotter pulled the key out of the ignition. She mentioned that she had to turn the radio up really loud and covered her ears in order to avoid hearing him yell.

Pearce said that she and Cotter then argued outside near the rear of her vehicle. She said Cotter had been throwing personal items from out of her car and she lightly pushed him away in order to prevent him from throwing out her property. She told him "Get the fuck away. Stop it Devin. Stop". She explained she used one hand to "lightly" push him away while holding on to her belongings with the other hand. She said nothing happened when she pushed him. She described him as a "big guy".

I asked Pearce whether she caused the injury to Cotter's head. Pearce replied, "No, I did not cause the injury to his head. I swear on my kid, on my dead mom, I didn't do it".

Pearce went on to tell me that Cotter had thrown her child's suitcase from out her car. She stated she begged for him not to touch her daughter's items and he threw them anyway.

She explained she was in the process of placing her daughters clothes back into the back seat of her vehicle (drivers side). She said she was standing near the back corner of the vehicle when she heard a "thud". She explained that she had her back turned to him and bending over when she heard Cotter yell ouch. Pearce turned around and observed Cotter lying on his back. She described him to be approximately 2 feet away from the bumper.

Cotter told Pearce that he had hit his head. Pearce continued to pick up her belongings and sarcastically replied "Oh you hit your head." Pearce then noticed that Cotter's demeanor changed from angry to "normal". Cotter got up and began to help Pearce look for her keys.

Pearce clarified "I thought he had the keys" but did not confirm whether or not he took them.

She said she did not witness how his face was injured.

I asked Pearce to tell me what happened after she and Cotter left the scene.

Pearce said she stood by with officers after Cotter left. She said Cotter called her, sent her a text and sent her a Face Book message. Pearce stated she declined to respond. Cotter wanted to know if she was okay. She said she deleted the phone application (Signal) that she had been using in order to communicate with Cotter.

Both [REDACTED] and [REDACTED] arrived to drive Pearce home. Pearce asked [REDACTED] if she could stay at his house. [REDACTED] declined and informed her that [REDACTED] vehicle was still at her (Pearce's) house.

Upon arrival to Pearce's home, she observed Cotter walk up from the side of her street. Pearce stated she immediately yelled at Cotter and told him she did not want to see him. [REDACTED] also told him to get out.

Cotter then began to yell at [REDACTED]. As they exchanged words, Pearce said she got out of the back seat of her vehicle and into the front seat. She then drove away. Pearce stated that Cotter was chasing her down the road. Pearce then called the police.

Pearce explained that she sent [REDACTED] a text message and informed him that she had called the police and wanted [REDACTED] to provide a statement. [REDACTED] did not respond to her message.

Pearce said she believes [REDACTED] was upset with her for not being able to "shake him off" referring to Cotter and her relationship.

I asked her to keep the text messages and I did not want them deleted. She agreed and stated she would provide copies to her attorney as well.

[REDACTED] later informed me that Pearce had been using the phone application "Signal" to communicate with Cotter throughout the relationship.

I asked Pearce why she decided to go out with Cotter last night and she related the following.

Pearce said she got to a place where she began to communicate with Cotter again. She said she communicated with him too much that she felt she needed to manage him again. She said she got back into the "Domestic

LONG BEACH POLICE DEPARTMENT**Narrative**

Violence Cycle" in which he threatened her and blamed her for everything. She said she tried to make amends with him and things would be nice and lovely. She said every bone in her body knew she should not see or talk to him. *Pearce then began to cry.*

She said she has been seeing him for the last three months and she gets disgusted.

EPO:

Pearce requested for an Emergency Protective Order to be issued. She shared her reasons and concerns for her request.

Pearce said she wanted the EPO in order for Cotter to stay away from her and her family following his release. She believed that his parents would pay his bail.

She explained that she had blocked him from calling her in the past and also blocked him from being her friend on her Face Book account.

Note: Although Cotter was blocked from public friendship, they were having Facebook conversations with each other.

She said Cotter had been to her house (twice) earlier in the week. She stated that both times he was not invited. She said she did not want to call the police.

Pearce said she has left town twice in order to avoid Cotter. The first time she left to Seattle Washington (unknown date and Cotter threatened to come with her. The second time she left was on Mothers Day (May 14, 2017). She said flew to Texas. While in Texas she discovered that Cotter had contacted her husband.

After the Texas trip, Pearce changed her phone number and switched her account (under her aunt's name).

Pearce said that she has witnessed Cotter's bad temper in the past but typically he reacts like this when he has been drinking or on drugs. She also expressed her concern over the allegations he made of her using drugs in the past.

She went on to say that she denied using drugs to Cotter but he told her "its true if I say its true". I explained that was not part of this investigation. I encouraged Pearce to seek counseling and offered our services from the Long Beach Trauma Recovery Center.

During the interview, Pearce provided vague details of [REDACTED] and a non sequential chain of events. Pearce told me she was not home and was out in Orange County for the day. She agreed to meet me on Monday June 05, 2017. For additional information refer to [REDACTED]

Shortly after speaking with Pearce, her Attorney (Houman Fakimi) called me. He insisted Pearce was the victim of Domestic Violence and [REDACTED] I reminded Fakimi that Pearce was also under investigation for domestic violence.

Fakimi requested an Emergency Protective Order. I encouraged him to submit the restraining order on Monday morning. He agreed to meet with me on Monday at 1700 hours. He stated he would be able to provide all the evidence regarding the [REDACTED] and would allow me to further accurately interview Pearce.

At approximately 1941 hours, Pearce contacted me via telephone. She confirmed that Cotter had not been physically violent with her in the past and has never threatened to physically harm her. I advised her that the EPO was denied. Pearce confirmed our Monday appointment at 1700 hours and agreed to bring all evidence supporting the [REDACTED]

LONG BEACH POLICE DEPARTMENT

17-32687

Supplement No
0008

Narrative

Report Officer

6232/CASTRO, RUBI

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LONG BEACH POLICE DEPARTMENT



400 WEST BROADWAY
LONG BEACH, CA 90802

Phone
562 570-7381 RECORDS
Fax
562 570-7080 FAX

17-32687

Supplement No
0009

Reported Date
06/26/2017
Primary Offense
273.5 (A) PC
Officer
CASTRO, RUBI

Administrative Information

| | | | | |
|---|---|--|---|--------------------------------|
| Agency LONG BEACH POLICE DEPARTMENT | DR No 17-32687 | Supplement No 0009 | Reported Date 06/26/2017 | Reported Time 21:22 |
| CAD Call No 171540174 | Rpt Typ FOLLOW-UP REPORT | Primary Offense INFLECT CORP INJURY; SPOUSE/COHABITANT | | |
| Location SB 710 FY/GOLDEN SHORE | | | | City LONG BEACH |
| ZIP Code 90802 | Rep Dist 083 | Area 01 | Beat 06 | From Date 06/03/2017 |
| | | From Time 02:40 | | |
| Officer 6232/CASTRO, RUBI | Assignment INVEST/DET/SPEC VIC/DOM VIOL | | | |
| 2nd Officer MANZO, ARMANDO | Assignment PATROL/SOUTH/CFS/WI | Entered by 6232 | Assignment INVEST/DET/SPEC VIC/DOM VIOL | |
| Confidential DOMESTIC VIOLENCE | RMS Transfer Pending | Approving Officer 6232 | Approval Date 06/27/2017 | |
| Approval Time 13:50:55 | | | | |

Narrative

On 06/25/17 at approximately 1745 hours, I (Detective R. Castro # 6232) contacted J. Pearce via telephone.

I asked her to tell me what happened on June 2nd -June 3rd 2017 and she related the following.

Statement:

Pearce and Cotter had plans to see the music band Modest Mouse at the House of Blues in Anaheim prior to 06/02/17.

On 06/02/17 at approximately 1830 hours, Pearce drove downtown to get Cotter. She stated Cotter was at a Mayors event, which included an open bar. She said she did not know how many drinks Cotter had prior to her arrival.

Once Cotter entered her vehicle, she noticed he was in a bad mood. Cotter slammed the door and appeared to have a bad attitude. She stated that she pulled the car to the side of the road and told him that maybe they should not go to the concert if he was going to have an attitude. Cotter told her he would get over it.

Due to the tension between them, Pearce said she felt uncomfortable while driving to the House of Blues. She attempted to make talk by discussing her future plans in December. She told him she was going to see Lady Gaga with her friend Janice. Cotter replied, "Lets get one thing straight. I don't give a fuck what you're doing, if your not doing with me".

At approximately 1900-1915, they arrived to the House of Blues and went to the bar. While at the bar, they each had a "mixed whiskey drink". She stated she sipped her whiskey drink and he just shot his. She stated she drank approximately 3 beers and made casual friends with a group of approximately 6 strangers.

Pearce provided me with a contact number of a female she met that night. She did not know her name or further detail.

During the concert, Cotter placed his hand on her shoulder. She told him to get his hand off her shoulder and gave him permission to put his hand on her hip instead. Pearce insisted that he remove his hand from her shoulder. According to Pearce, Cotter got really "grabby" and replied, "No this is what I get because you cut me off. I get to hold you like this because you cut me off."

During the Modest Mouse set, Pearce left Cotter in the back of the concert. She stated she went into the middle of

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LONG BEACH POLICE DEPARTMENT**Narrative**

the crowd in order to listen to the music better. Pearce said she returned back to Cotters location during the last song.

After coming back, Cotter appeared to be upset with her. He told her that he had saved a spot next to him. She explained she wanted to be closer to the band. Cotter told her he was upset that Pearce said she'd be right back and did not come right back.

Pearce said they left the concert at approximately midnight but was not certain.

Once inside the vehicle, they began to argue. She said she asked him "You're fucked up aren't you?" Cotter replied "Yeah I am because I'm gonna party as hard as I want if were not gonna be seeing each other". Cotter told her that he wanted her to come to his house and he wanted to be with her. Pearce told him she did not want that. Cotter then became "manicky" (manic behavior) by yelling and screaming at her. She said they drove straight back to Long Beach.

Pearce stated that while she was driving, she was trying to drown him out by having the music loud, windows rolled down and placing one hand over her ear.

She explained that she was driving on the 710 Fwy (southbound), when Cotter began to pull on her steering wheel. He did this in order to gain leverage to get in her face. She further explained that Cotter used his right hand to pull his body forward to get in her face.

She told him "Devin you're gonna fuckin kill us, just stop!". Cotter replied, "I don't fucken care. I don't fucken care anymore". Pearce stated she was driving approximately 70 MPH and was swerving into other lanes while this had been occurring. Pearce said she placed both hands on the steering wheel in order to keep the steering wheel straight.

Pearce stated she slowed down to 20 MPH and pulled over on the 710 freeway just past the Broadway Exit. Pearce described a "break" in the freeway.

While describing her location she stated that one side of the road led to the Aquarium while the other lane led to RV parking.

Pearce then told him to get out and he refused. Cotter then grabbed the keys and took them. Pearce stated that they fought over the keys and described that they were each tugging on them.

Cotter gained full control of the keys and threw them out the passenger side window towards the ice plants. Cotter then opened the glove compartment and began to throw everything out.

Cotter then got out of the vehicle and began to remove items from her front seat. She said she kept her laptop and I-pad in between the front passenger seat and center console. Cotter grabbed both items and flung them like a Frisbee towards the ice plant.

Cotter then went through every car door and began to throw everything out. Pearce exited the vehicle to look for her keys and to recover the other items that had been thrown out. One of the items thrown had been her cell phone.

She explained they were out on the freeway for a minimum of 45 minutes. During this time, Cotter continued to yell and scream at her. She said she begged for him to stop and begged for other drivers to stop. She said two homeless men approached them and advised them to calm down. She described them as a male white and a male black over 50.

Pearce described it to be an ongoing cycle of Cotter throwing things and Pearce putting them back. She stated it occurred approximately 3 times.

Pearce stated her belongings were scattered all over the place and on each side of the vehicle. I asked her to describe the items that had been thrown out and she related the following.

A phone charger, a laptop, an I-pad, her wallet, her purse, her daughters school enrollment paperwork and social security card, photo copies of her drivers license, a work pad, a suitcase full of her daughters clothes, three bags

LONG BEACH POLICE DEPARTMENT**Narrative**

containing additional clothes and toys for her daughter, work related manila folders, grapes, cherries and miscellaneous items from her center console such as lip gloss etc. She stated she never recovered her wallet, which contained her passport.

Cotter had found some flowers inside her vehicle. He asked Pearce whether her daughter [REDACTED] gave her the flowers. Pearce confirmed she did and Cotter replied "Good then I'll fucken destroy them". Cotter removed her daughter suitcase from the trunk area and threw it out.

Pearce said she recovered her cell phone from the side of the freeway and began to video tape him. She stated that she realized she had 1 percent of battery life left on her cell phone. Pearce sent a text to her current [REDACTED] [REDACTED] She told him "I need help. Help me please. Cops maybe". [REDACTED] asked her for her location and she sent it to him.

Pearce explained that she chose to send [REDACTED] a message instead of calling the police because she feared her phone battery would die mid call.

I asked Pearce why she recorded Cotter and she stated she felt terrorized and completely trapped. She stated she needed to have proof of how crazy he is. She explained that the recording actually shows his "calm moment".

After sending the text to [REDACTED] she said she started to engage with Cotter again. She recalled calmly asking him to look around. She told him that this was not normal and this was not okay. She encouraged him to pick up the items and put it back in the car. She said Cotter responded by "going ballistic again".

Incident:

Pearce recovered her daughter's suitcase (for the 3rd time) from off the side of the road. As she was placing it back into the vehicle (drivers side). Cotter approached her as and placed his hands on the suitcase. Pearce told him, "Get your fucken hands off of my kids stuff". Cotter replied, "No you deserve this".

Pearce then pushed him using both hands and Cotter stumbled two steps backwards. Pearce described the push as an "angled awkward push" because her right arm was tilted near his left arm. Pearce could not recall where her hands made contact on his body but stated that her hands were flat.

After she pushed him, she turned around and bent over to recover more items. Pearce said she heard a "Thud" and then heard him say "Oh fuck". Pearce turned around to see Cotter lying on his back. She asked him "Are you ok? Are you dying?" She said she asked him in a sassy manner.

Cotter told her "I fell down and I hit my face" Pearce replied "But you're not dying?" Cotter replied "No I'm okay". She said his voice was back to normal and he was no longer yelling at her. He then agreed to find the keys.

Pearce explained that Cotter had found her house keys but her car keys were still missing. They continued to look for the keys when CHP showed up.

CHP:

When CHP arrived, a CHP officer asked them to explain their relationship with one another. Pearce told the officer that Cotter was a former employee and Cotter told the officer that they were boyfriend / girlfriend. The officer asked them what happened and Cotter stated that he had fallen down. The officer asked Cotter if she (referring to Pearce) had hit him and Pearce responded with no. The officer asked why were they there. Cotter told the officer that they just needed to stop for a minute. Pearce said she interrupted the dialogue between the officer and Cotter and told Cotter "No, lets be real clear. You were pulling my steering wheel, you were pulling the keys out of the car and we are here because of that".

According to Pearce, the officer walked away for a second and Cotter told her "Please tell me you didn't call the cops. Please tell me you didn't do this. Please tell me you didn't call the cops". Pearce looked away without a response.

CHP then called LBPD. See Main DR.

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Narrative

After [REDACTED] and [REDACTED] picked her up from the location, they drove her home. Pearce said she saw Cotter coming from across the street with his arms out. He yelled, "We need to fucken talk". Pearce told him "Get the fuck out of here. I don't want to see you. You need to go". [REDACTED] then told Cotter he was not wanted and that he needed to leave. Cotter then began to yell at [REDACTED].

Pearce got into the driver's seat of her vehicle and slowly began to drive away. She stated she called 911. Cotter started jogging down the street after her. She stated she circled twice around and returned to her house. She observed Cotter standing there.

Pearce cracked her window and Cotter immediately "jammed" his hand into the vehicle in an attempt to unlock the car. Pearce told Cotter that she had called the police. Cotter replied "Good because I'm going to tell them you did this to me" (referring to his injury). She said she hit his hand in order to get it out of her vehicle. Pearce said she realized that she could just drive away. Prior to driving away, Pearce said she yelled for help hoping that a neighbor would hear her.

Pearce said she drove to 4th and Cherry lot and waited for police.

Current Status:

She explained that Pearce and her husband [REDACTED] have been separated for approximately a year. [REDACTED] did not know she was out with Cotter on June 2nd 2017. [REDACTED] has been aware of her dating relationship with Cotter for approximately 2 months.

I asked Pearce if she was engaged to Cotter. Pearce confirmed Cotter gave her a ring but she tried to return it and it was lost.

Approximately 7 days Cotter came to her house. Cotter has called her multiple times and is requesting that Pearce sign an affidavit. Pearce alleges that the affidavit contains a sequence of events for June 2-3 2017 stating they did not argue and that they were pulled over on suspicion of drunk driving. Pearce stated she does not agree with the affidavit and has declined to sign it.

Pearce told me she fired her Attorney Houman Fakimi last week and she is now working with a new attorney (later identified as Michelle Dobson). According to Pearce, Fakimi declined to pursue a restraining order on her behalf because there was no history of domestic violence. Pearce expressed some frustration Fakimi.

Dobson has completed a new restraining order packet on her behalf. Dobson is out on vacation and the order has not been submitted. Pearce refuses to return to California until the restraining order is filed.

I asked Pearce to email me the call log, texts, voicemails and affidavit emails pertaining to the case to help corroborate her statements. Initially she agreed but as of 06/26/17, she did not send the items. See attached emails.

For further see attached CD-R.

Pearce had not appeared for her scheduled appointment June 6th 2017 and did not provide me with a courtesy call to reschedule or cancel. Pearce stated she did not have my contact information. It should be noted that I provided her with my contact information on 06/03/17.

LONG BEACH POLICE DEPARTMENT



400 WEST BROADWAY
LONG BEACH, CA 90802

Phone
562 570-7381 RECORDS
Fax
562 570-7080 FAX

17-32687

Supplement No
0010

Reported Date
06/26/2017
Primary Offense
273.5 (A) PC
Officer
CASTRO, RUBI

Administrative Information

| | | | | |
|---|------------------------------------|--|------------------------------------|--------------------------------|
| Agency LONG BEACH POLICE DEPARTMENT | DR No 17-32687 | Supplement No 0010 | Reported Date 06/26/2017 | Reported Time 21:23 |
| CAD Call No 171540174 | Rpt Typ FOLLOW-UP REPORT | Primary Offense INFLECT CORP INJURY; SPOUSE/COHABITANT | | |
| Location SB 710 FY/GOLDEN SHORE | | | | City LONG BEACH |
| ZIP Code 90802 | Rep Dist 083 | Area 01 | Beat 06 | From Date 06/03/2017 |
| Officer 6232/CASTRO, RUBI | | From Time 02:40 | | |
| 2nd Officer MANZO, ARMANDO | | Assignment INVEST/DET/SPEC VIC/DOM VIOL | | |
| Assignment PATROL/SOUTH/CFS/W1 | | Entered by 6232 | | |
| Confidential DOMESTIC VIOLENCE | | Assignment INVEST/DET/SPEC VIC/DOM VIOL | | |
| RMS Transfer Pending | | Approving Officer 6232 | | |
| Approval Time 14:50:39 | | Approval Date 06/27/2017 | | |

OTHER CONTACTED PERSON 1: MOSLEH,FOUAD

| | | |
|--|----------------------------|---------------------------|
| Involvement OTHER CONTACTED PERSON | Invl No 1 | Type Individual |
| Name MOSLEH, FOUAD | | |
| Type BUSINESS | Address [REDACTED] | |
| City [REDACTED] | State California | ZIP Code [REDACTED] |
| Phone Type Business | Phone No [REDACTED] | Date 06/26/2017 |

OTHER CONTACTED PERSON 1: HOWELLS,DANIEL

| | | |
|--|----------------------------|---------------------------|
| Involvement OTHER CONTACTED PERSON | Invl No 1 | Type Individual |
| Name HOWELLS, DANIEL | | |
| Type BUSINESS | Address [REDACTED] | |
| City [REDACTED] | State California | ZIP Code [REDACTED] |
| Phone Type Business | Phone No [REDACTED] | Date 06/26/2017 |

Narrative

On 06/25/17 at approximately 1900 hours, I (Detective R. Castro # 6232) called Officer Daniel Howells #21108 from the California Highway Patrol and spoke with him via telephone. I asked him to tell me what happened on 06/03/17 before he asked LBPD to assist (Call # 174). Officer Howells related the following.

Statement:

On 06/03/17 Officer Howells was traveling southbound Shoreline Drive towards Ocean Blvd with his partner (Officer F. Mosleh # 21235) when he observed a [REDACTED] in a gore point. He observed the vehicle's driver's side and passenger side doors were open. The rear hatch was also open. It appeared that "stuff" had been thrown out of the vehicle and were scattered all around the roadway.

Officer Howells observed a male and female standing behind the vehicle (later identified as Pearce and Cotter). According to Officer Howells, they both appeared animated because they had their hands up and flaring. He did not observe anyone hit anyone.

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| Report Officer 6232/CASTRO, RUBI | Printed At 11/28/2017 07:40 | Page 1 of 3 |
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LONG BEACH POLICE DEPARTMENT**Narrative**

Officer Howells exited his vehicle and observed the male had a cut just above his right eye. He stated the cut appeared fresh and bleeding. Officer Howells observed the male's hands were cut up as well. Officer Howells asked the male how he got the cut and the male told him that he tripped and fell.

Officer Howells asked them (Pearce and Cotter) what was going on and they each told Officer Howells they just had an argument. Officer Howells learned about their relationship status but could not recall whether they said that they were currently dating or formally dating. He stated that the female said he (Cotter) was her former Chief of Staff and they had gone out earlier in the night to a concert/restaurant.

According to Officer Howells, both individuals said the male had thrown the items out of the vehicle.

I asked Howells to describe the scene and he told me that he observed clothes, a suit case luggage, grapes and the female's purse out of the car.

Officer Howells then contacted his dispatch center and advised them about a possible domestic violence. LBPd response was requested.

Officer Howells continued to investigate. He separated both parties and asked the male how he got the cut. The male subject told him he tripped and fell. The male subject did not explain how he fell and did not describe exactly how he received the cut. At no point did the male subject change his statement to the officer.

Officer Howells observed the male moving slow and sluggish, he had an unsteady gait and continued to drop things from out of his pocket after Howells asked for identification.

Officer Howells then asked the female how the male received the cut and she said he (referring to Cotter) tripped and fell.

Officers Howells described both individuals to be calm and truthful in a sense that neither party appeared argumentative towards them.

At approximately 1909 hours I spoke with his partner Officer Fouad Mosleh #21235. He related the following.

Statement:

Mosleh and his partner (Officer Howells) were driving on the 710 Freeway approaching Shoreline Drive when he observed a vehicle with both the drivers side and passenger side doors open. Officer Mosleh observed several items along the right shoulder such as bags and trash.

Officer Mosleh observed a male and female standing outside the vehicle. Both subjects were standing near the rear of the vehicle. Officer Mosleh described them standing near each other. The male subjects hands were near his side. Officer Mosleh said he was not able to hear them.

Officer Mosleh and his partner both contacted the couple to offer help. Officer Mosleh said it was an "unusual occurrence" for someone to be out there at that location.

Officer Mosleh observed the male had a cut to his eye and to his hands.

According to Officer Mosleh, he and his partner asked what was going on between them. Both parties stated that he (Cotter) tripped and fell.

The female stated the male (Cotter) threw her keys out the window along with her luggage and her purse. Officer Mosleh then assisted by searching for the keys in order to have the vehicle moved to a safer location. According to Mosleh, Cotter did not deny throwing the items.

Officer Mosleh stated that his partner (Officer Howells) separated both parties. Officer Howells escorted the female to the back seat of the patrol vehicle and escorted the male to sit on the curb.

Officer Mosleh located and recovered 4 to 5 bags of the female's personal belongings including the luggage and her purse from off the right shoulder. Officer Mosleh placed all items back inside her vehicle.

LONG BEACH POLICE DEPARTMENT**Narrative**

According to Mosleh, the female located a spare key to the vehicle. It was located inside her purse.

I asked him to describe the male and the females demeanor. He related the following.

Officer Mosleh stated the male appeared to be so intoxicated. He described him to have an unsteady gait and had a strong odor (not clarified odor). While looking for the keys, the male thought the keys were under the set then suggested that the keys had fallen out. The male seemed unsure of what happened to the keys.

Officer Mosleh described the female as cooperative, patient and friendly.

Officer Mosleh did not witness any physical altercations between the couple.

On 06/26/17 at approximately 1357 hours, my partner (Detective K. Ong # 6018) and I (Detective R. Castro # 6232) drove southbound 710 Freeway towards Shoreline Drive. I contacted a male white (transient) named "Michael" and a male Black (transient) named "Tony". Both individuals appeared to be in their 40's. Their encampment was located on the right side of the 710 freeway just south of 6th Street. Both individuals denied witnessing an argument on 06/03/17 and declined to provide me with further information.

I then contacted a male white transient (possibly in his 30's) on the right side of the freeway near the Broadway exit. I asked him if he witnessed an argument between a couple in a [REDACTED] on 06/03/17 and he stated no. He declined to speak with me or provide me with his information.

I could not locate transients on the left side of the freeway at this time.

I took multiple photos of the location. I searched the right side of the road including the ice plants and located several items such as clothes, shoes, and trash but was unable to identify anything with Pearce's name such as a passport or wallet.

At approximately 2132 hours, I called the number [REDACTED] that Pearce provided me with in regards to the female she befriended at the concert on 06/02/2017. There was no response. I left a voice message.

On 06/27/17 at approximately 0813 hours, a female named [REDACTED] left a voice message on my phone. She stated she recieved my voice message. In the message, she related the following.

"Hi Detective Castro this is [REDACTED] You called me last night regarding um a case involving a concert. I'm not sure of the gals name but she did have my phone number because we took a picture. I spoke to my husband last night and I don't know if we'll be much help. We didn't know the couple and we didn't notice anything off about them. Honestly I was separated with them for a while because I went to the front of the stage to see the band. So um again I don't know how much help I could be. Again, we didn't notice anything weird or off about them. They seemed like a nice sweet [REDACTED]"

I called [REDACTED] back and left a voice message asking her to return my call.

It should be noted that when I called her, I did not provide a detailed message about why I was calling. This led me to believe that Pearce had contacted [REDACTED] prior to this message.

For further see attached recording.

LONG BEACH POLICE DEPARTMENT



400 WEST BROADWAY
LONG BEACH, CA 90802

Phone
562 570-7381 RECORDS
Fax
562 570-7080 FAX

17-32687

Supplement No
0011

Reported Date
06/30/2017
Primary Offense
273.5 (A) PC
Officer
ROMERO, RUDY

Administrative Information

| | | | | |
|---|------------------------------------|--|------------------------------------|--------------------------------|
| Agency LONG BEACH POLICE DEPARTMENT | DR No 17-32687 | Supplement No 0011 | Reported Date 06/30/2017 | Reported Time 15:33 |
| CAD Call No 171540174 | Rpt Typ FOLLOW-UP REPORT | Primary Offense INFLECT CORP INJURY; SPOUSE/COHABITANT | | |
| Location SB 710 FY/GOLDEN SHORE | | | | City LONG BEACH |
| ZIP Code 90802 | Rep Dist 083 | Area 01 | Beat 06 | From Date 06/03/2017 |
| Officer 5456/ROMERO, RUDY | | From Time 02:40 | | |
| 2nd Officer MANZO, ARMANDO | | Assignment INVEST/DET/SPEC VIC/DOM VIOL | | |
| Assignment PATROL/SOUTH/CFS/W1 | | Entered by 5456 | | |
| Confidential DOMESTIC VIOLENCE | | Assignment INVEST/DET/SPEC VIC/DOM VIOL | | |
| RMS Transfer Pending | | Approval Date 06/30/2017 | | |
| Approving Officer 5456 | | Approval Time 16:04:46 | | |

Narrative

Detective Follow Up

On June 28, 2017 at 9:00 AM, I (Detective R. Romero # 5456) assisted Domestic Violence Detective R. Castro # 6232 with a follow up interview regarding DR# 17-32687. Present in the interview were Victim Devin Cotter and his attorney Bryan Schroeder.

The interview was conducted at the Long Beach Police Department. The interview was both audio and video recorded. The following is a summary of the interview, for further see connecting recordings.

Detective Castro explained to Victim Cotter that she intended to speak with him about his domestic violence allegation. He acknowledged that he had consulted with his attorney and was willing to answer additional questions.

Detective Castro explained that she wanted to speak further about the events that took place on June 2, 2017. Victim Cotter confirmed that on this date he and Suspect Jeannine Pearce had prior plans to attend an upcoming concert (Modest Mouse) at the Anaheim House of Blues.

Victim Cotter explained that prior to going to the concert, he and the suspect had attended the Mayor's fundraising kick off, (In the City of Long Beach) however, he clarified that they had attended the fundraising event separately. Victim Cotter stated he had about a half a glass of wine at the fundraiser.

He explained that even though they were not together at the event, they still planned on going to the concert together later that evening. Since he does not drive, the suspect left the event to go get her vehicle while he stayed a bit longer. After she got her car she returned to pick him up.

He estimated that they left to go to the concert between 6:30 PM to 6:45 PM. There was not much traffic and he believes they arrived to the House of Blues a half hour later.

He stated things were a "little tense" between he and the suspect on the drive to the concert. He said they have been going through; a "rough patch" and they were still trying to figure out their relationship and their future.

The suspect had asked him if he was doing okay? He responded by telling her he had a rough day. The suspect had asked him if he wanted to go to the concert with someone else and he told her he wanted to go with her. From there they began to "chitchat" and get back to their "normal rhythm."

Once they arrived to the House of Blues he and the suspect began to have some alcoholic drinks and some food.

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LONG BEACH POLICE DEPARTMENT**Narrative**

Victim Cotter stated the suspect had purchased the first round of drinks. They both had a large beer (possibly 16 to 22 oz) and a "spiced whisky concoction." He explained that the whisky drink was mixed with soda in a clear cup. He estimated the whisky content was possibly 1 oz.

Victim Cotter explained that while inside the venue he and the suspect were getting along with each other. He said they were, "being flirty" and talking about enjoying the rest of their evening. He even bought the suspect a band tee shirt. He stated things were going well between the two and they began to talk about how happy they were and hopefully things were getting better between the two of them.

Detective Castro asked Victim Cotter if they had made any friends while inside the event. He explained that they ended up standing next to a couple but it wasn't like they became buddies or anything. They were cordial with each other and would save each other's places if someone had to leave for a bit. He does not believe he had even gotten their names and did not exchange telephone numbers with them.

He estimated they left the concert "pretty late" and estimated the time to be midnight or so. He stated he wasn't really paying attention to the time; he was just enjoying the show and spending time with the suspect. The event had only two bands performing that night.

Detective Castro asked Victim Cotter if at any point was he upset with the suspect while at the concert and asked specifically if she had left his side. Victim Cotter explained that the suspect had told him she wanted to get closer to the stage. He told her to go see the band how she wanted to see them. He explained that he was fine where he was standing and did not want to move down to a lower level.

The suspect was not gone for very long. He estimated she was gone for only two songs. He was not upset when she returned and saved her spot. For the most part during the event, he and the suspect had always stayed around the same area with the same group of people.

Victim Cotter stated that during the concert both he and the suspect continued to have more alcoholic drinks. He believes that he personally had about four more drinks that night. He stated he drank mostly beer and had a couple of "shots."

Once they left the event they both returned to the suspect's car. The suspect was driving and he was in the front passenger seat. He explained that during the drive home they were initially getting along with each other, by the end of it they were not. They have been dealing with some issues in their relationship and have been arguing about the same thing relatively regularly. Unfortunately that argument had come up again during the ride home.

Detective Castro asked the victim if they had gone anywhere else after leaving the concert or had they driven straight home. He said not that he could remember. He stated, "A little bit of the night's a little bit of a blur, you know, I was just enjoying the show but ah... you know, ah... the only time I remember us arguing at all was in the car."

The victim could not recall what route they had driven home. He said he was not paying attention. He believes they took the 405 freeway to the 710 freeway. He could not really recall what city they were in or where they were at when the argument had actually started. He was not paying that close attention to that. He said they were just talking and the same old topics had come up.

He believes they were in the City of Long Beach when they really started arguing. He said it's been frustrating because they have been having this same argument for a while.

Detective Castro asked what the argument was about. Victim Cotter stated he does not like how the suspect's husband was treating her or how she was responding to it. And also how the suspect would, "freak out" and treat him (the victim) when she would freak out. He said this goes over and over again in a loop.

The suspect responded by telling him that she was freaked out and had to try and do whatever she could to protect her time with her daughter. The victim explained that he told her he understood because he had gone through a "contentious" divorce but felt that she was making some mistakes about what she was saying to her husband.

The victim told the suspect that ending an affair would not be the end all and be all and he did not think that a

LONG BEACH POLICE DEPARTMENT**Narrative**

family law judge would say that her having an affair would deny her to have any time with her daughter. Victim Cotter stated, "She was freaking out about that." The suspect's husband was talking about taking their daughter to Texas and not coming back and things were spiraling.

During this time the argument became more heated. Both he and the suspect started yelling. He said this is usually what happens, they would both yell at each other and then cry a little bit and apologize.

The victim stated there had been times in the past when the suspect would drive very aggressively or erratically when she was upset. During the argument she started to drive more aggressively. Detective Castro asked him to explain what he meant by aggressively.

The victim then stated, "Ah...well not necessarily in this case but in other cases you know, heart stops, hard stops..." Detective Castro clarified with the victim and stated she wanted to know about how the suspect was driving during the drive home during this particular event.

He explained she was just driving a little bit faster and really gripping the wheel. She was not swerving between lanes or anything like that. He could not tell how fast she was driving but did not think she was driving, "really, really fast." He said you could just tell her emotions were in her driving and he was not really thrilled about being the passenger of that. The victim said he would ask her to slow down or would say, "Calm down."

During this time things kept escalating and they were still yelling about stuff. The suspect turned and struck him in the left arm with her right hand. He explained that her hand was balled in a fist. The suspect used her arm and swung out as she was driving. Her fist struck the front of his arm above the elbow. He was not struck on the side of his arm or his shoulder. It was not a really big hit. He said it wasn't like the suspect really wound up and punched him. He eventually discovered that he received a large bruise on his arm because of it though.

The victim used his attorney as a prop to demonstrate how he was struck. He demonstrated a succession of punches one after the other and estimated he was struck approximately four times.

Detective Castro asked the victim if anything was said by either he or the suspect prior to, during, or after he was struck? He said nothing really stuck out in his mind. They were in the middle of a screaming argument. He may have said, "What the fuck!" or "What the hell!" He recalled the suspect was saying she needed to put her daughter first and she felt that he was asking her to do things that would make her look like a fool or an idiot.

The victim stated he was asking the suspect to leave her husband and to stand up for herself and stop making him the scapegoat. He said the suspect was going through "Great lengths" to try and not tell her husband that they were having an affair even though she had told the victim many times that her husband already knew.

The victim said this was something that was very hard for him. It was one thing to be the "side guy" for a while with the plan of things progressing for the suspect to be single, then suddenly he is this evil guy that tricked her into having a three and a half year affair.

He continued to explain that after he was struck he told the suspect to stop driving and let him out of the car. The suspect stopped her vehicle on the freeway. He described the area as being where the 710 Fwy ends and splits to go toward Golden shore. They stopped in the dead space in the middle of the road.

The victim said he was upset and, "freaked out." He was upset at her driving and thought in her "state" she could hurt herself and others. Once stopped, he got out of the car. The suspect also exited the car. He stated, "You know I was dumb in part because I was so upset and I figured, screw this, you know, she doesn't get that band tee shirt."

He explained that the suspect drives an SUV, when they originally got into the car after the concert he took the tee shirt and tossed it in the back. He walked to the back and opened up the trunk to try and take the shirt back along with some other items that he had left in the suspect's car over the course of time. These additional items were sunglasses and possibly a jacket. He stated he was kind of stunned from being hit and the arguing. He just wanted to end the interaction, get his stuff and leave.

He began to move some things around in the trunk to try and get to the things he had left. He said the suspect is not a neat person and there was a lot of stuff. Some of the items belonged to the suspect's daughter. As he was

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searching around, the suspect walked back and started to object to him touching things in her car. This was what led up to him being pushed down.

Detective Castro asked the victim how long had he been looking around for his stuff. The victim said it was not long, he estimated the time to be a minute or two. Detective Castro asked the victim to describe the contact the suspect had with him and to describe the push.

The victim stated, "I mean it wasn't like this big hard shove, I mean, it...ah, you know she didn't want me going through the stuff in the trunk...ah, I don't know it was just kind of a push you know? Two hands, not all that hard, um...I mean, yea I don't think she meant for me to go kind of stumbling back but, you know, I kind of caught one foot over the other and all of a sudden I was, Boom, I was down on the pavement."

The victim described that the suspect's hands were on his chest as she gave him a general shove. Her hands were not up on his shoulders but more down by his collarbone. The victim stated the suspect had told him the stuff he was going through was her daughter's stuff and asked him not to touch it. The victim told the suspect he was just looking for his stuff. The suspect told him, "Get your hands out of there!" prior to pushing him in the chest.

The victim stated when he fell he hit his head on the pavement. He again stated he had tripped over his own two feet when he went to step back to steady himself. He said he was surprised that she pushed him.

Detective Castro confirmed the victim's injury was located to the front of his head. She told him she was trying to figure out how he was able to injure the front of his head and not the back. He again stated when he fell back it was kind of a shock and blur.

He estimated he was on the ground for a couple seconds. He was able to get up on his own. He said he might have cursed because he was hurt but did not direct it at anyone specifically.

After he got up he walked back to the passenger seat of the car and leaned in to look in the visor mirror to see if he was injured. Detective Castro asked the victim if the suspect witnessed him fall. The victim stated, "I assume so, she was right there." He did not recall if the suspect had said anything to him or not. It was at this point the (California Highway Patrol) CHP arrived.

The victim stated as they drove up he was still by the passenger side door of the suspect's car. He assumed the suspect was still at the rear portion of the car where he had left her.

Detective Castro asked the victim how long it took for the suspect to exit the car and push him down. The victim estimated a "minute or two." He stated, "It wasn't like she stormed out of the car and then shoved me, it was you know, she was there we were, you know, we argued a little bit more, she's like, you know, 'That's Jeannie's stuff!' and I, you know, I just wanted to get my stuff and get the hell out of here." He said that kind of went back and forth a little bit.

The victim estimated that the time it took for them to pull the car over until the time the CHP arrived was approximately ten to fifteen minutes. He stated it was fifteen minutes at the most.

Detective Castro asked the victim if at any time during this incident when they were stopped on the roadway prior to the CHP's arrival, did anybody come up to them or contact them. The victim said, "Not that I can recall."

The victim stated after the CHP arrived they shined the light in his face and ended the argument between he and the suspect. He believed that neither he nor the suspect wanted the police to be involved. He stated the officer's separated them and began to ask him if everything was okay. The victim stated he was really trying to avoid what's happening now so he told the officer that everything was fine. The CHP officers told him that he needed to stay there and they were calling the Long Beach police.

The victim confirmed that when the CHP arrived, he and the suspect were separated by the suspect's vehicle. They were kept separated and he could not hear what the suspect was saying. He did say that the suspect had told the CHP officers that he had thrown her car keys into the overgrowth by the median.

He was asked if he had in fact done this. He said he did not. The officers used their flashlights and started

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looking in the overgrowth. The victim stated after the Long Beach police arrived, one of the officers eventually came up and stated they had located the suspect's keys in her purse.

Detective Castro asked Victim Cotter if the CHP officers had asked him anything about the injury to his head. He stated he does not remember the CHP officers asking him but when the Long Beach police arrived they did.

Detective Castro asked the victim if he had a conversation with one of the CHP officers prior to the Long Beach police arriving. Victim Cotter stated, "Not that I recall." He then stated they may have just asked "What's going on here, is everything okay?" but he could not recall having an in depth conversation with them.

Detective Castro asked the victim if he had told the CHP that they were having an argument. The victim stated, "Ah...you know, honestly I don't recall."

Earlier in the interview the victim stated the CHP officers were using their flashlights to look for the suspect's car keys, Detective Castro inquired if there may have been anything else the officers were looking for or may have recovered. Victim Cotter stated, "Not that I know of." He said the only thing they asked him about were the keys.

Detective Castro asked the victim to describe to us how he was looking for his tee shirt. She asked him if he was moving things around or possibly throwing things out of the car. The victim stated, "Ah, I mean I was moving things around but I wasn't ah..." He later stated he wasn't being the most gentle with them but he wasn't throwing things out as far as he could recall.

Detective Castro asked the victim if he had thrown any of the suspect's personal items out such as her wallet. The victim once again stated, "Not that I recall." She also inquired if he had thrown out the suspect's luggage, her daughter's school paperwork or an iPad. The victim mumbled, "Mm um" indicating he did not.

He then stated, "I mean, if I had moved some things around and one of them, you know, fell out of the car or something like that but that could happen but I don't recall, you know, throwing things." He once again stated he wasn't being the most gentle with some of the items. He explained that things were heated.

He then stated the suspect accused him of throwing her keys but yet they were in her purse. Detective Castro asked the victim if at any point did he ever have the suspect's keys? The victim stated, "No." He then said he did try to get her keys away from her because he was worried about her driving, however, she would not allow him to get them.

The victim advised us that this had occurred initially when the suspect had stopped the car. He stated he told the suspect she should not be driving and told her to give him the keys. She told him, "Hell no." He then reached for the keys that were still in the ignition. The suspect was able to get to the keys first and kept them in her possession. The victim stated nothing else happened in the car and that was when he decided to get out.

Detective Castro asked the victim if at any point did he place his hands on the steering wheel? The victim said, "No." Detective Castro asked the victim if he could recall seeing any items being on either side of the road? The victim responded, "No."

Detective Castro asked the victim to explain what took place once the Long Beach police arrived. The victim said once the Long Beach officers showed up they asked him to walk a little bit further from the suspect's car and asked him to sit down on the curb. They asked him about the injury to his head. He had told them that he had fallen.

Detective Castro asked him why he said that? He stated, "Because I didn't want all of this to happen." He knew this was going to be a scandal due to the suspect's position and because of whom he worked for. He continued to say that he loves the suspect and didn't want her to go to jail. He would have rather handled this matter privately.

Detective Castro asked the victim if [REDACTED] or Fakimi were part of the topic of their argument? The victim stated, "Yes." He said they were usually part of the topic. This issue would spill over in to the their work lives and everything.

Detective Castro then began to ask the victim about the events just prior to the Long Beach police officers taking

LONG BEACH POLICE DEPARTMENT**Narrative**

him home. The victim said he had let the officers know he had to use the restroom. He estimated the time to be approximately 3:30 AM. He stated he had to go bad and had asked them if he could go across the street to the Hilton. The officers told him he needed to stay and could not cross the highway. He continued to advise them he had to relive himself.

He said the officers drove him home to his boat and estimated the time to be 5:15 to 5:20 AM. He spent half his time on his boat and half his time at his parent's home. While on his boat he had sent a text message to the suspect asking her if she was okay. He was under the assumption she was arrested for a DUI. He was concerned for her well-being. She never responded to the text messages.

Detective Castro inquired where he had gone from there. The victim stated he took an Uber from the boat to his parent's house. At this point the victim's attorney advised that the topic was now going past the domestic violence issue and due to a pending matter with his client stemming from this he was advising his client not to talk about certain topics.

Detective Castro informed the victim and his attorney that she wanted to speak about certain things that took place at [REDACTED] not related to the victim's pending court case but related to another altercation that took place there. The victim agreed to speak about this incident.

The victim confirmed that he took an Uber car from his boat to his parent's house that is nearby [REDACTED]. His parents reside on [REDACTED]. He confirmed he went over to the suspect's house from there. He said, "Basically I was checking to see if her car was there." He figured if her car was there she got to go home. If her car was not there she was probably in jail. If she was in jail he was going to see if he could help bail her out.

He said due to "dumb luck" he happened to see the suspect's car pull up while he was across the street. He was not expecting this to happen. Detective Castro asked the victim if he and the suspect had any additional alcoholic drinks after they had left the House of Blues. He said they did not, however, they had both drank a "good amount" at the House of Blues. He stated they both had whisky drinks, shots of Tequila, Jameson and a number of large beers.

He further explained that once they were at the venue they both had a beer and a shot before the band started then they had a few drinks during the performance. He estimated he had a total of seven drinks and believes the suspect had five to six drinks.

Detective Castro continued to speak about the situation where the victim had gone to see if the suspect's car was at her home after the freeway incident. She asked the victim what if anything was said? The victim stated, "Ah, not a whole lot." He described when he witnessed the suspect pull up he was surprised to see her driving. He witnessed [REDACTED] get out of the suspect's vehicle and confront him.

[REDACTED] exited the car from the rear passenger side door. [REDACTED] asked him what he was doing there. He told [REDACTED] "Leave me alone, if you're going to punch me, punch me." He said [REDACTED] was significantly taller than him and was right up in his face.

The victim said that was the extent of the conversation. [REDACTED] walked away and the suspect continued to drive away and circled the block. The victim stated, "She was kind of stand offish in her car for awhile. I shrugged my shoulders at her and she finally pulled up and stops."

He said the suspect was right in front of him so he knocked on her driver's side window. He could not recall but believes she had rolled the window down all the way. When the suspect rolled down her window he asked her, "What the hell happened? Are you okay?" The suspect told him she was fine and asked him to leave her alone. She advised him she had called the police.

The suspect then drove her car to the end of the block near the intersection of [REDACTED]. The victim stated he did not want to deal with the police anymore and did not want to deal with the suspect anymore and started to walk back to his parent's house.

Detective Castro asked the victim if he knew where [REDACTED] had gone to. The victim stated he wasn't trying to keep track of him and believed he may have gone into the suspect's house or something. He said [REDACTED] was

LONG BEACH POLICE DEPARTMENT**Narrative**

not right in front of him and that's all he cared about.

Detective Castro asked the victim if there was anybody else present. The victim said [REDACTED] girlfriend may have also been inside the suspect's vehicle. He did not recall where she was seated inside the vehicle but he saw her exit from the passenger's side. He could not tell if it was from the front or back seat. The victim said he did not see anyone else, including neighbors or the suspect's husband.

Detective Castro advised the victim that she wanted to talk about prior incidents that had occurred between the victim and suspect. The victim reiterated he and the suspect have been in a dating relationship for three and a half years. They began to date in December of 2014.

He said there had been a couple of domestic violence incidents that were not like this recent incident. He said there had been a couple times where the suspect had shoved him. He said one time in particular they were on his boat. He described it as being a very small confined space.

They had been arguing and the suspect had pushed him causing him to be forced back into a seated position on a couch. He said the suspect was "really in his face" and used her bodyweight to pin him down.

He described the push as a standard push with two hands to the chest. The suspect used one of her knees and placed it on one of his thighs not allowing him to get up. He did not recall what knee was used but assumed it was the suspect's left knee and his right thigh.

He believes the suspect had pinned him down for a "few minutes." He estimated the time to be between three to five minutes, long enough to make him start to feel claustrophobic. He at first was not sure if her actions were an aggressive interlude to physical intimacy. He said this occasionally occurred between the two when they have fought before. He eventually found out that this time was not one of those instances.

He does not recall for sure when this incident occurred but stated it may have been within the last nine months. He attempted to go back through some of his text history before his interview to help him identify the exact date.

When Detective Castro asked the victim why would this information be in his phone, he informed her because he recalled the other parts of the evening prior to this happening. He stated he and the suspect had an argument and he had gone back to his boat alone. Prior to going to the boat they were having drinks at Hamburger Mary's.

The suspect had one of their mutual friends drop her off at the boat. He was not sure if the suspect came over to apologize or to be intimate. He stated it ended up with more arguing and the suspect becoming physical with him.

The victim stated he had sent a text message to the friend who had dropped the suspect off that read something like, "You shouldn't have brought her." He believes the person he sent this text message to was either [REDACTED] or [REDACTED]. He felt it was most likely [REDACTED] though because he never witnessed [REDACTED] drive. He does not believe he received a response back to his text. He estimated the time that this incident had occurred to be around 1:00 or 2:00 AM.

He could not recall what their argument was over. He said, "We are a couple, we argue from time to time." Detective Castro asked him what caused the suspect to eventually get off of him? The victim said he probably just started to tell her to get off of him. He said he might have even tried to push her off of him. He said this was a while ago and he does not really recall to well.

He said he did not have any visible injuries from this incident; however, his thigh may have been a little sore. He said he was actually more shocked that the suspect would do something like that. After this incident their relationship kept, "Chugging along." He said he chocked it up to a one-time thing. The suspect had apologized for it afterward.

He did not tell anybody else about the incident. He said he is not big on talking to other people about this sort of stuff. He cannot recall if the suspect had apologized via text or a telephone call. He informed us he and the suspect communicate more by text than they do over the telephone.

He said they have had multiple conversations where he tells the suspect she was the only one who has gotten physical and asked her what was going on. He said the suspect would apologize.

LONG BEACH POLICE DEPARTMENT**Narrative**

When Detective Castro inquired if there were any other incidents the victim stated, "There were times when we'd be pretty aggressive physically, consensually, so, you know, maybe she was making a move and I, you know, misinterpreted it but ah, you know, ah..."

Detective Castro asked the victim if he was misinterpreting the event on the boat as well? The victim stated, "No, that time was clearly not intimacy." He said he was starting to feel claustrophobic. He explained that the victim did not kiss him or remove her clothing like she did on prior occasions. He believes after the incident he had called her an Uber and she did not spend the night with him.

At the conclusion of the interview the victim stated he had some photographs for detective Castro. He would provide them to his attorney and forward them to detective Castro. He also stated he has been going through old text messages trying to locate relevant text messages about physical violence.

The victim informed detective Castro that he felt it took his black eye a while to come in. One of the photos was taken three days after he sustained the injury to his eye. He said his injury was bleeding. He did not seek medical treatment after the fact on his own. He treated it himself by applying a Band-Aid and applied warm compresses to try and help the black eye go away. He did not suffer from headaches or feel dizzy.

He said he has additional photos from June 3rd, 2017 that show other bruises and such. He will provide these to detective Castro along with additional text messages that show the suspect's apologies and the fact that she is asking that they continue their relationship.

LONG BEACH POLICE DEPARTMENT



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Phone
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17-32687

Supplement No
0012

Reported Date
08/30/2017
Primary Offense
273.5(A) PC
Officer
CASTRO, RUBI

Administrative Information

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|---|------------------------------------|--|------------------------------------|--------------------------------|
| Agency LONG BEACH POLICE DEPARTMENT | DR No 17-32687 | Supplement No 0012 | Reported Date 08/30/2017 | Reported Time 13:52 |
| CAO Call No 171540174 | Rpt Typ FOLLOW-UP REPORT | Primary Offense INFLECT CORP INJURY; SPOUSE/COHABITANT | | |
| Location SB 710 FY/GOLDEN SHORE | | | | City LONG BEACH |
| ZIP Code 90802 | Rep Dist 083 | Area 01 | Beat 06 | From Date 06/03/2017 |
| Officer 6232/CASTRO, RUBI | | From Time 02:40 | | |
| 2nd Officer MANZO, ARMANDO | | Assignment INVEST/DET/SPEC VIC/DOM VIOL | | |
| Assignment PATROL/SOUTH/CFS/WI | | Entered by 6232 | | |
| Confidential DOMESTIC VIOLENCE | | Assignment INVEST/DET/SPEC VIC/DOM VIOL | | |
| RUS Transfer Pending | | Approval Date 08/30/2017 | | |
| Approving Officer 6232 | | Approval Time 13:54:52 | | |

OTHER CONTACTED PERSON 1:

| | | |
|--|----------------------------|---------------------------|
| Involvement OTHER CONTACTED PERSON | Invl No 1 | Type Individual |
| Name [REDACTED] | | |
| DOB [REDACTED] | Age [REDACTED] | Juvenile? No |
| Height [REDACTED] | Weight [REDACTED] | Hair Color [REDACTED] |
| Eye Color [REDACTED] | | |
| Type HOME | Address [REDACTED] | |
| City [REDACTED] | State California | ZIP Code [REDACTED] |
| Date 08/30/2017 | | |
| Type Operator License | ID No [REDACTED] | OLS California |
| Type Social Security Number | ID No [REDACTED] | OLS California |
| Phone Type Cell | Phone No [REDACTED] | Date 08/30/2017 |

OTHER CONTACTED PERSON 1:

| | | |
|--|--------------------------|---------------------------|
| Involvement OTHER CONTACTED PERSON | Invl No 1 | Type Individual |
| Name [REDACTED] | | |
| DOB [REDACTED] | Age [REDACTED] | Juvenile? No |
| Type State Identification Card | | |
| ID No [REDACTED] | OLS California | |
| Phone Type Business | Phone No [REDACTED] | Date 08/30/2017 |
| Phone Type Cell | Phone No [REDACTED] | Date 08/30/2017 |

Narrative

On 08/30/17 at approximately 1133 hours, my partner (Detective A. Duncan # 5644) and I (Detective R. Castro # 6232) drove to [REDACTED] to make contact with [REDACTED]. After several knocks, there was no response. I took photos of the house and the door. See attached photos.

I then contacted Jeanine Pearce's neighbor [REDACTED] at [REDACTED] stated she has lived at this location for approximately 3 years.

Report Officer
6232/CASTRO, RUBI

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11/28/2017 07:40

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LONG BEACH POLICE DEPARTMENT

Narrative

█████ explained that she has limited contact with J. Pearce. █████ read about the incident on June 3rd regarding Pearce via newspaper. She stated approximately 48 hours later she spoke with J. Pearce.

J. Pearce told her that "something happened" she did not feel safe because she had a "stalker". Pearce told █████ to call the cops if she sees anything or if she hears anything. She told █████ she was leaving to Palm Springs for 1 to 2 days because she did not feel safe.

█████ believes that J. Pearce and her husband then went to Texas. According to █████ J Pearce and █████ frequently travel to Texas. She believes they have family in the Houston area and █████ works in the airline industry.

According to █████ Pearce did not elaborate why she did not feel safe, Pearce did not say what happened and did not provide further information on her "stalker".

Pearce had mentioned to █████ that she had a stalker approximately one month prior to the June 3rd incident. Pearce did not provide further information to her and she said she kept the conversation light.

█████ has not noticed police activity in front of Pearce's residence.

█████ occasionally has contact with Pearce via Face book. No further questions were asked.

At approximately 1153 hours, I contacted █████ █████ stated he began his internship in March 2017 and was officially hired as the Communications Deputy in June 2017.

Some of █████ job duties include social media and communications. I then asked him whether he was responsible for the press release on June 26th 2017 in which Pearce alleges to be a victim of domestic violence.

█████ denied being involved and stated that was directly from J. Pearce and her attorney. █████ stated he was not aware of the press release and read it in the Press telegram just like everyone else.

█████ stated he met Devin cotter one time at an event (04/25/17) and only shook his hand. He stated he did not have further information and stated that he has been kept in the dark regarding the investigation.

█████ stated that █████ could be located in his office at City Hall. No further questions were asked.

LONG BEACH POLICE DEPARTMENT



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17-32687

Supplement No
0013

Reported Date
09/07/2017
Primary Offense
273.5 (A) PC
Officer
LEBARON, RYAN B

Administrative Information

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|--|--|---|---|--|
| Agency LONG BEACH POLICE DEPARTMENT | DR No 17-32687 | Supplement No 0013 | Reported Date 09/07/2017 | Reported Time 09:04 |
| CAD Call No 171540174 | Rpt Typ INCIDENT-RELEASED NOT BOOKED | | | |
| Primary Offense INFLECT CORP INJURY; SPOUSE/COHABITANT | | | | |
| Location SB 710 FY/GOLDEN SHORE | | | | City LONG BEACH |
| ZIP Code 90802 | Rep Dist 083 | Area 01 | Dist 06 | From Date 06/03/2017 |
| Officer 5888/LEBARON, RYAN B | | Assignment ADMIN/MANAGER/STAFF/ | | 2nd Officer MANZO, ARMANDO |
| Assignment PATROL/SOUTH/CFS/W1 | | Entered by 5888 | Assignment ADMIN/MANAGER/STAFF/ | Confidential DOMESTIC VIOLENCE |
| RMS Transfer Pending | Approving Officer 6232 | Approval Date 09/08/2017 | Approval Time 14:26:39 | |

Narrative

On July 26, 2017 at approximately 1405 hours, I received a telephone call while working as Watch Commander. The call was from Sergeant M. Hodge, informing me of a call for service (call # 950) involving Councilperson Jeannine Pearce. The call was regarding a burglary report that Officer Frausto and Sergeant Hodge responded to. The dispatch location was Councilperson Pearce's residence [REDACTED]

Sergeant Hodge explained that no report was being taken, as the incident did not meet the elements of any crime and was primarily a civil issue. After briefing me on the call, I hung up with Sergeant Hodge. I then sent an email to Commander Hebelsh and other members of the Command Staff who would be interested in a call involving a current Councilperson. After sending that email, I received a telephone call from Commander Lewis. I was informed that Councilperson Pearce was desirous of a police report and was confused why one was not originally taken. Commander Lewis further directed me to return, with Sergeant Hodge, to [REDACTED] and re-interview the involved persons to assess if a crime report needed to be filed.

While at that location, I spoke to Councilperson Pearce, [REDACTED] (her spouse), Devin Cotter (the subject of the 459 complaint), and a [REDACTED] who identified herself as [REDACTED] (unknown spelling). My conversation with Councilperson Pearce was audio recorded by Sergeant Hodge. I often audio record conversations with citizens who request my response as a supervisor, due to not being pleased with the outcome of an initially responding officer.

Specifically, during my interview with [REDACTED] I was told that he returned home from a recent trip to TX and discovered his key did not work in his entry door. While trying to ascertain why his key did not work, he observed Devin Cotter run out the back of the house and into the alley. It was unclear if [REDACTED] personally saw Cotter run, or if he learned this from a neighbor.

[REDACTED] then reviewed some of the points the previously responding officer made to him. He described the relationship between J. Pearce and Cotter. He said that to his knowledge Cotter did not have permission to be in his house or change the locks. He added he did not know how Cotter gained access to the residence.

I had two separate conversations with J. Pearce on the telephone during my investigation at [REDACTED]. Both telephonic conversations were audio recorded by Sergeant Hodge. The conversations occurred as Sergeant Hodge and I stood on the east or north sides of the house, away from [REDACTED] and [REDACTED].

During our conversation, J. Pearce described her relationship with Cotter over the previous two weeks as a "manipulative situation." She related there were many email and text conversations during that time. Cotter had

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| Report Officer 5888/LEBARON, RYAN B | Printed At 11/28/2017 07:40 | Page 1 of 3 |
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LONG BEACH POLICE DEPARTMENT**Narrative**

been given permission to sleep at the residence with J. Pearce multiple times during the past, as the two have had a dating relationship. Most recently, Cotter was invited to the residence by J. Pearce the previous Sunday (7/23/17). He did not stay the night on that occasion. J. Pearce stayed the nights of 7/23-25/17 at her friend's residence and she recalled leaving her residence at [REDACTED] locked and secured during that time. She had no idea how Cotter could have gained access to her residence and said he did not have access to a key, as there were no spares to her knowledge.

Later during our conversation, J. Pearce said that at the advice of her attorney, she recently communicated with Cotter that he could change the locks. She added that she would tell him when to do it and where to access a key to gain entrance. She claims she never told him specifically when to change the locks. She also said she never intended on having him change the locks. I asked if Cotter, or any other reasonable person would have believed, based on what she communicated in the text conversation, that she was giving permission for the locks to be changed and she said they would have. She further described that following a recent argument, she sent a text to Cotter that read, "Fine. You can change the locks." She added that she would tell him when to do it and where a key could be found. She claimed to have said this because she felt manipulated.

Following my conversation with J. Pearce, I telephoned Cotter. His conversation was not recorded, as I had no information that he was displeased with the original responding officer's handling of the call. Cotter was reluctant to speak openly with Sergeant Hodge and myself without legal representation because of this incident and the nature of previous police investigations involving himself and J. Pearce. However, he was willing to provide details to certain questions. He described his relationship between himself and J. Pearce in general terms as both a professional and dating relationship. He had been given permission previously from her on occasion to sleep in her house. He told Sergeant Hodge and I that he had evidence of clear communications indicating that he had permission from J. Pearce to change the locks to [REDACTED]. During our conversation, he also described that he gained access to the residence by using a spare key that is usually hidden under some bricks in the backyard.

I looked in the backyard and saw some loose bricks on the ground on the eastside of the grass yard. I did not see a spare key under the bricks at that time.

I informed Cotter that despite being previously granted permission to access [REDACTED] he was now not welcome there according to [REDACTED] and J. Pearce and I advised him not to return without a police escort. He indicated that he understood this direction and assured me he would not return.

Following our conversation with Cotter, Sergeant Hodge and I again spoke with [REDACTED]. Sergeant Hodge asked him if he knew of any spare key that the Pearce's hid on or around their property. He described that they often hid a spare key under some bricks in the backyard. This answer corroborated the statements previously made by Cotter. I explained to [REDACTED] that no police report would be filed as the elements of a crime were not satisfied.

Sergeant Hodge and I then spoke to [REDACTED] who informed us that she saw Cotter run out the back door of the residence and into the alley, shortly after [REDACTED] returned home. [REDACTED] described her relationship to the Pearce family as a neighbor and friend who they share a garden with. She frequently looks after their house when they are away.

Just prior to Sergeant Hodge and I leaving the residence, J. Pearce arrived home and we spoke briefly to her and [REDACTED] together. J. Pearce was in the company of a female White adult friend, who was never identified.

After interviewing each involved party, investigating the scene for signs of forced entry, and discussing the initial call with Sergeant Hodge, I determined that no crime report needed to be taken. My basis for this decision was that the criminal elements for burglary (or any associated crime) had not been satisfied. Specifically, the following aspects of my investigation led to my conclusion:

Cotter and J. Pearce have had a previous on-going dating relationship and Cotter was invited to [REDACTED] earlier this week by J. Pearce.

J. Pearce communicated with Cotter in a text conversation this week and stated that she desired for him to change the locks on her residence.

Cotter had knowledge of where the spare key was hidden on the property because J. Pearce has previously disclosed this information to him.

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LONG BEACH POLICE DEPARTMENT

Narrative

The first two points were disclosed to me by both Cotter and J. Pearce. The third point was learned through the investigation.

Report Officer

5888/LEBARON, RYAN B

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11/28/2017 07:40

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LONG BEACH POLICE DEPARTMENT



400 WEST BROADWAY
LONG BEACH, CA 90802

Phone
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17-32687

Supplement No
0014

Reported Date
09/08/2017
Primary Offense
273.5 (A) PC
Officer
CASTRO, RUBI

Administrative Information

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|---|------------------------------------|--|--------------------------------------|------------------------------------|------------------------------------|
| Agency LONG BEACH POLICE DEPARTMENT | | DR No 17-32687 | Supplement No 0014 | Reported Date 09/08/2017 | Reported Time 14:28 |
| CAD Call No 171540174 | Rpt Typ FOLLOW-UP REPORT | Primary Offense INFLECT CORP INJURY; SPOUSE/COHABITANT | | | |
| Location SB 710 FY/GOLDEN SHORE | | | | | City LONG BEACH |
| ZIP Code 90802 | Rep Div 083 | Area 01 | Beat 06 | From Date 06/03/2017 | From Time 02:40 |
| Officer 6232/CASTRO, RUBI | | Assignment INVEST/DET/SPEC VIC/DOM VIOL | | | |
| 2nd Officer MANZO, ARMANDO | | Assignment PATROL/SOUTH/CFS/W1 | | Entered by 6232 | |
| Confidential DOMESTIC VIOLENCE | | RMS Transfer Successful | Prop Trans Stat Successful | Approving Officer 6232 | Approval Date 09/19/2017 |
| Approval Time 09:03:34 | | | | | |

Summary Narrative

Summary timeline for DDA J. Johnson

Narrative

Per the request of Deputy District Attorney J. Johnson, I conducted a follow up investigation with both parties involved.

Summary:

On 06/25/17, I (Detective R. Castro # 6232) sent an e-mail to J. Pearce requesting her to send me call logs, messages and e-mails regarding her allegations of Domestic Violence.

06/25/17, Pearce replied "I will send you everything- after I get my kid robbed. It's 9pm Texas time".

On 06/26/17, I e-mailed Pearce again and asked her to send me the information I requested.

Pearce replied only with the name and phone number of her new attorney "Michele Dodson" (later identified via e-mail as Michele A. Dobson). She included "CC'd" (Carbon Copy) attorney Dobson in the same e-mail.

I replied to Pearce and asked her whether or not I would be receiving the information. I explained I needed it in order to corroborate her statements.

Later that evening, I received an e-mail from Attorney Michele Dobson. She informed me she was out of state and would not return until Friday (06/30/17).

On 06/27/17, Jeaninne Pearce released a statement to the press indicating she has been a victim of domestic violence. In the article, Pearce stated she has experienced escalating threats, harassment and stalking since late last year. Pearce did not provide the identity of the alleged perpetrator in her statement. For further see attached article.

On 06/27/17, I e-mailed Dobson and asked her to e-mail me the information I requested upon her return.

There was no response from Pearce or Dobson.

On 07/05/17, I e-mailed both Dobson and Pearce requesting an update on the information I had previously requested. There was no response from either party.

On 07/15/17, I received an e-mail from Attorney Dobson indicating a change of representation. The e-mail

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| Report Officer 6232/CASTRO, RUBI | Printed At 11/28/2017 07:40 | Page 1 of 2 |
|--|---------------------------------------|-------------|

LONG BEACH POLICE DEPARTMENT**Narrative**

indicated that the Council Member and her staff were taking over all media and interview requests.

On 07/26/17, [REDACTED] called the Long Beach Police Department to report a burglary at [REDACTED] (Call # L172070950). Lieutenant Lebaron # 5888 responded and spoke to [REDACTED] and Jeannine Pearce. It was determined that no crime report needed to be taken. The criminal elements for burglary had not been satisfied. For further see supplemental report #0013 and attached recording of J. Pearce's statements.

On 08/01/17, Attorney Doug Otto contacted me via telephone. He advised me that he would be representing Jeannine Pearce. Otto was contacted by Pearce the morning of the alleged burglary (07/26/17). I asked Otto for a meeting with him and Pearce regarding the domestic violence allegations. He stated he would contact me after he spoke with Pearce.

There was no response for several days.

On 08/11/17 at approximately 1107 hours, the Honorable Judge J. Otto granted a search warrant [REDACTED] for the Apple I-phone device under LBPD custody [REDACTED] Computer Crimes Detective J. Macias conducted the search. No relevant information pertaining to the investigation was found or extracted from the device.

On 08/15/17, I contacted Doug Otto as he was walking by 400 W. Broadway (Police Headquarters). I asked for an update on a meeting with Pearce. He told me that Pearce has been ill and has not responded to him but would reach out to her again then advise.

Note: Pearce attended the Council Meeting later that day.

On 08/17/17, I spoke with Cotters Attorney (Brian Schroeder). Schroeder provided me with screen shots of a text conversation between J. Pearce and Cotter regarding the burglary allegations. Cotter told him that J. Pearce asked him to change the locks of her home and Cotter had permission to be inside her residence. I advised him I would be in contact to schedule another interview. For further see attached screen shot photos.

On 08/17/17 at 1751 hours, Attorney D. Otto called and left a voice message. He indicated he had not met with J. Pearce to discuss the case.

On 08/30/17 at approximately 1249 hours, I received an e-mail from J. Pearce. Pearce had knowledge I went out to her residence earlier that day. She requested to meet with me. I provided a date (9/8/17) for the meeting.

On 09/08/17, I called and left a voice message with Pearce. I also sent an e-mail advising I would be moving forward. I then contacted Cotters attorney (Brian Schroeder) and requested an appointment to meet. Schroeder said he would speak with his client then advise.

On 09/11/17, Mr. Doug Otto replied via e-mail in regards to scheduling an appointment. I called Mr. Otto and I explained I needed all evidence (texts, e-mails, calls, affidavits and "Cease and Desist" letter she promised to provide early on in the investigation. Otto advised he would contact Pearce and return my call.

SEE ATTACHED E-MAILS

On 09/15/17 at 1537 hours, I spoke with Mr. D. Otto via telephone. Mr. Otto advised me that we would not be having a meeting at this time. Efforts to meet and retain additional evidence corroborating each others statements have been unsuccessful to date.

LONG BEACH POLICE DEPARTMENT



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LONG BEACH, CA 90802

Phone
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17-32687

Supplement No:
0015

Reported Date
09/08/2017
Primary Offense
273.5 (A) PC
Officer
CASTRO, RUBI

Administrative Information

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|---|------------------------------------|--|------------------------------------|--------------------------------|
| Agency LONG BEACH POLICE DEPARTMENT | DR No 17-32687 | Supplement No 0015 | Reported Date 09/08/2017 | Reported Time 14:48 |
| CAD Call No 171540174 | Rpt Typ FOLLOW-UP REPORT | Primary Offense INFLECT CORP INJURY; SPOUSE/COHABITANT | | |
| Location SB 710 FY/GOLDEN SHORE | | | | City LONG BEACH |
| ZIP Code 90802 | Rep Dist 083 | Area 01 | Beat 06 | From Date 06/03/2017 |
| Officer 6232/CASTRO, RUBI | | From Time 02:40 | | |
| 2nd Officer MANZO, ARMANDO | | Assignment INVEST/DET/SPEC VIC/DOM VIOL | | |
| Assignment PATROL/SOUTH/CPS/WI | | Entered by 6232 | | |
| Confidential DOMESTIC VIOLENCE | | Assignment INVEST/DET/SPEC VIC/DOM VIOL | | |
| RMS Transfer Pending | | Approval Date 09/15/2017 | | |
| Approving Officer 6232 | | Approval Time 09:44:35 | | |

OTHER CONTACTED PERSON 1:

| | | |
|--|-----------------------------------|---------------------------|
| Involvement OTHER CONTACTED PERSON | Inv No 1 | Type Individual |
| Name [REDACTED] | | |
| DOB [REDACTED] | | |
| Age [REDACTED] | | |
| Juvenile? No | | |
| Dom Violence Yes | | |
| Phone Type Call | Phone No (310) 945-7166 | Date 09/08/2017 |

Narrative

At approximately 1408 hours, I (Detective R. Castro # 6232) called [REDACTED] via telephone. [REDACTED] and [REDACTED] were married in 2008. They separated in 2013 and their divorce was finalized in 2016. [REDACTED] and [REDACTED] have a son [REDACTED] in common.

[REDACTED] stated there was "some domestic violence" within their relationship before it ended. She said [REDACTED] had threatened her with a firearm and shoved her. [REDACTED] believes [REDACTED] has anger issues and she ended the relationship before it escalated.

She recalled an incident in [REDACTED] where police had to be called. An official police report was never taken. [REDACTED] filed for a temporary restraining order in 2012 [REDACTED] She explained she did not follow through with the "permanent" order because they came to a "no contact" agreement.

[REDACTED] was not comfortable discussing further details of the domestic abuse. She said it was a lot of "he said she said" and stated she was afraid of retaliation by [REDACTED]

I asked what she meant by "retaliation" and she explained that [REDACTED] filed a Temporary Restraining Order against her sister and it caused headaches. She clarified that she did not feel he would retaliate her with physical harm.

[REDACTED] no longer has contact with [REDACTED] The child custody arrangement is conducted via his parents.

LONG BEACH POLICE DEPARTMENT



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LONG BEACH, CA 90802

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17-32687

Supplement No
0016

Reported Date
09/08/2017
Primary Offense
273.5 (A) PC
Officer
CASTRO, RUBI

Administrative Information

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|---|------------------------------------|--|------------------------------------|--------------------------------|
| Agency LONG BEACH POLICE DEPARTMENT | DR No 17-32687 | Supplement No 0016 | Reported Date 09/08/2017 | Reported Time 14:50 |
| CAD Cat No 171540174 | Rpt Typ FOLLOW-UP REPORT | Primary Offense INFLECT CORP INJURY; SPOUSE/COHABITANT | | |
| Location SB 710 FY/GOLDEN SHORE | | | | City LONG BEACH |
| ZIP Code 90802 | Rep Dist 083 | Area 01 | Beat 06 | From Date 06/03/2017 |
| Officer 6232/CASTRO, RUBI | | From Time 02:40 | | |
| 2nd Officer MANZO, ARMANDO | | Assignment INVEST/DET/SPEC VIC/DOM VIOL | | |
| Assignment PATROL/SOUTH/CFS/WI | | Entered by 6232 | | |
| Confidential DOMESTIC VIOLENCE | | Assignment INVEST/DET/SPEC VIC/DOM VIOL | | |
| RMS Transfer Pending | | Approval Date 09/19/2017 | | |
| Approving Officer 6232 | | Approval Time 09:01:58 | | |

OTHER CONTACTED PERSON 1:

| | | |
|--|----------------------------|---------------------------|
| Involvement OTHER CONTACTED PERSON | Invl No 1 | Type Individual |
| Name [REDACTED] | MM [REDACTED] | SS [REDACTED] |
| Type HOME | Address [REDACTED] | |
| City [REDACTED] | State California | ZIP Code [REDACTED] |
| Date 09/08/2017 | | |

OTHER CONTACTED PERSON 1:

| | | |
|---|----------------------------|---------------------------|
| Involvement OTHER CONTACTED PERSON | Invl No 1 | Type Individual |
| Name [REDACTED] | MM [REDACTED] | SS [REDACTED] |
| DOB [REDACTED] | Age [REDACTED] | Height [REDACTED] |
| Weight [REDACTED] | Hair Color [REDACTED] | Eyes Color [REDACTED] |
| Type HOME | Address [REDACTED] | |
| City [REDACTED] | State California | ZIP Code [REDACTED] |
| Date 09/08/2017 | | |
| Type FBI number | ID No [REDACTED] | |
| Type FBI number | ID No [REDACTED] | |
| Type Operator License | ID No [REDACTED] | CLS California |
| Type Package Number | ID No [REDACTED] | |
| Type State Criminal Identification Number (CII) | ID No [REDACTED] | CLS California |
| Type State Criminal Identification Number (CII) | ID No [REDACTED] | CLS California |
| Phone Type Cell | Phone No [REDACTED] | Date 09/08/2017 |

Narrative

On 09/08/17 at approximately 1134 hours, I (Detective R. Castro # 6232) called and spoke with [REDACTED]. He declined to speak with me without legal representation. [REDACTED] would not tell me why he felt he needed an attorney and I advised him he was not in trouble. Again he declined to speak with me at this time.

Report Officer
6232/CASTRO, RUBI

Printed At
11/28/2017 07:40

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LONG BEACH POLICE DEPARTMENT**Narrative**

██████████ called me back and agreed to meet with me the following day.

On 09/07/17 at approximately 0930 hours, I met and interviewed ██████████ at 400 W. Broadway Long Beach Ca 90810.

Summary of Interview:**Burglary Call**

On 07/26/17 at approximately 1100-1200 hours, ██████████ and his daughter ██████████ arrived home from a Texas trip. ██████████ entered his residence and placed his luggage inside the living room. He and his daughter walked to Portfollo Café.

After 30 minutes at the café, they came home. ██████████ noticed that his screen door was locked. He said he did not recall locking the screen door prior to leaving and he typically does not lock the screen door.

██████████ assumed that his wife (Jeaninne Pearce) was inside. He "banged" on the door and waited for someone to answer. ██████████ then walked over to his backyard and observed ██████████ (later identified as ██████████) and her two children in his backyard. He explained that it was not unusual to see his neighbor because he allows her to have access to their garden.

██████████ notified him that Devin Cotter had just left his residence and ran out through the backyard. She said Devin Cotter was last seen holding a bag.

██████████ entered his house through the back door. He stated his key still worked for the backdoor lock. Once inside he sent a text to Jeaninne Pearce and told her Devin had been inside their home. According to ██████████ Jeaninne replied and told him "He was not supposed to do that". Jeaninne Pearce told him that she did not give Devin Cotter permission to change the locks or to be inside the house.

██████████ noticed that his front door locks had been changed. He did not notice anything missing and was glad that his laptop computer had not been taken.

I asked him if Devin Cotter ever had a key to his residence and he responded, "No I never gave him a key. Jeaninne never told me she gave him a key so that's all I know. That he never had a key".

██████████ said that on this particular day, he believed Devin Cotter came in through the window because he found a chair. According to Pearce, the chair was located right below the window near the front of his house.

I asked him if he had moved the chair and answered with "There have been times before when Jeaninne may have forgotten the key. You know, either one of us may have forgotten the key".

I asked him again if he moved the chair and he stated that he did not notice the chair until much later. He went on to say he was confused and it was a little bit "traumatic". He then said he did not move anything and officers had surveyed the area.

He went on to tell me that he advised the officers on scene that his home had been burglarized in the past and suspect(s) had entered through the back.

I explained to him that officers went out to his residence twice and surveyed the scene. I told him there was not a chair noted and he stated "there should've been a chair when they were there". He stated he initially didn't walk around the house and it wasn't until much later in the evening that he noticed the chair. He noticed the chair at approximately 5PM. He stated Jeaninne Pearce was not home when he saw the chair.

██████████ clarified that Jeaninne Pearce was home and present when the first officer responded on scene but she was not home when the second officer arrived on scene (approximately an hour later).

I asked him whether he talked about the burglary face to face with Jeaninne Pearce after LBPD Officers left. He told me they did and Jeaninne Pearce admitted she had some communication with Cotter but she did not give him permission to come into the house to change the locks. He told me he did not press it too much because he wants "to do his own thing". ██████████ stated that he (referring to himself) had the locks changed and "that's that".

LONG BEACH POLICE DEPARTMENT**Narrative**

According to [REDACTED] it wasn't uncommon to have Chief of Staff or other members of Jeaninne Pearce's Office come over to his residence. While Devin Cotter had the Chief of Staff position, he would come over his house about once a month.

I asked [REDACTED] whether he had discussed changing the locks with his wife. He stated that they never talked about changing the locks.

[REDACTED] did not report any missing items.

Apartment:

In regards to the separate apartment, he stated he was subletting an apartment from his friend in order to have more "space". He confirmed Jeaninne Pearce stayed at that apartment. The point was to have their daughter remain inside their home on [REDACTED] while they figured out their relationship status. He stated he only stayed at that other apartment one time. Jeaninne Pearce had stayed at the other apartment more than once.

I asked him if Cotter had a key to the apartment and he told me he suspected that Cotter had a key. I asked him why he suspected this and he said, "She told me he had been there". I asked him if she told him he had a key and he said "Yeah". He explained that he did not know if Cotter just shows up banging on the door or whether she willingly allows him inside.

According to [REDACTED] his "need to know" as to whether Cotter had a key to the apartment was to avoid taking their daughter over there. Jeaninne Pearce confirmed to [REDACTED] that Cotter had "acquired" a key.

Knowledge of Relationship Between D. Cotter and J. Pearce:

[REDACTED] said he found out about Jeaninne Pearce's extra marital affair on May 1st 2017. He read e-mails between her and Cotter through their home-shared computer.

[REDACTED] said she confirmed she had been having an affair with Devin Cotter. He said he did not know how long they had been seeing one another nor did he ask.

During this same conversation, [REDACTED] said he was under the impression that a "relationship" had developed between her and Cotter and she had tried to get out of it.

After May 1st, he said Cotter had been trying to "gain access" to Jeaninne Pearce but it was only based on her word. He read a few incoming e-mails from Cotter to her but declined to tell me what they entail.

He said Jeaninne Pearce created a new e-mail address in order for him to have access and to gain trust. The new e-mail address was a "super girl one" and the old e-mail address was "Jeaninne". He stated she had multiple e-mail addresses including one for her office.

I asked [REDACTED] whether he witnessed Jeaninne Pearce make any efforts to get away from Cotter such as e-mails or text messages and he stated, "She told me she had taken measures". Again I asked whether she only told him and he stated, "Yes".

[REDACTED] explained that he and his wife have a 20-year history together and she is the mother of his child. He appeared conflicted on how much he wanted to tell me. He told me he was on her side and was rooting for her.

June 3rd 2017 Incident

[REDACTED] stated he was inside the residence at [REDACTED] on June 3rd 2017. He told me he did not hear anything and he was asleep. He said it was his day with his daughter. [REDACTED] told me he assumed J. Pearce would go to the apartment. He explained they did not have a formal arrangement regarding child custody.

I asked [REDACTED] to provide me with supporting e-mails and he declined. I asked him to provide me with the text messages that he sent to J. Pearce after he discovered Cotter was inside his home. [REDACTED] was able to search through his messages but could not provide anything past August 8th 2017.

Domestic Violence

Report Officer:

6232/CASTRO, RUBI

Printed At

11/28/2017 07:40

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LONG BEACH POLICE DEPARTMENT**Narrative**

██████████ stated he has never been violent towards J. Pearce and she has not been violent towards him.

He has not witnessed J. Pearce with bruises. He did not witness stalking, threats or physical abuse.

According to ██████████ his wife is a victim of emotional abuse from Cotter. Cotter has hurt her with manipulation.

For further refer to recorded interview.

Witness for Incident on 07/26/17:

On 09/07/17 at approximately 1357 hours, I spoke with ██████████ via telephone. ██████████ lives next door to Jeaninne and ██████████. I asked her to tell me what happened on 07/26/17. She related the following.

On 07/26/17 at approximately noon, she walked to the Pearce's backyard to water the garden. She observed Devin Cotter standing near the backdoor of the residence. Cotter appeared to be holding an empty black bag. Cotter told her that Jeaninne asked him to change the locks.

██████████ proceeded to water the garden and did not speak to Cotter. ██████████ stated she was not watching Cotter and did not see whether Cotter used a key to gain access into the residence. ██████████ did not hear anything that led her to believe force was used to gain entry into the residence. She confirmed that Cotter entered the residence.

After approximately 5 minutes, she walked to the front yard in order to shut off the water. ██████████ then proceeded to walk back to garden when she observed Cotter running out of the backdoor of the residence. She said he was holding the same black bag but this time it was full.

She said Cotter made an exit through the gate located in the backyard. ██████████ began to walk out of the garden when she ran into ██████████ and his daughter. She then told Pearce what she saw.

██████████ stated the entire situation from beginning to end occurred in less than 10 minutes.

██████████ said she recognized Cotter because she has seen him at the residence in the past. She said it had been a long time since she last saw him and did not elaborate how long.

LONG BEACH POLICE DEPARTMENT



400 WEST BROADWAY
LONG BEACH, CA 90802

Phone
562 570-7381 RECORDS
Fax
562 570-7080 FAX

17-32687

Supplement No
0017

Reported Date
09/13/2017
Primary Offense
273.5 (A) PC
Officer
CASTRO, RUBI

Administrative Information

| | | | | | | | | | | | |
|---------------|------------------------------|----------|------------------|-------------------|--|---------------|------------|-----------------|------------|-----------|-------|
| Agency | LONG BEACH POLICE DEPARTMENT | OR No | 17-32687 | Supplement No | 0017 | Reported Date | 09/13/2017 | Reported Time | 10:39 | | |
| CAD Call No | 171540174 | Rpt Typ | FOLLOW-UP REPORT | Primary Offense | INFLECT CORP INJURY; SPOUSE/COHABITANT | | | | | | |
| Location | SB 710 FY/GOLDEN SHORE | | | | | | | City | LONG BEACH | | |
| ZIP Code | 90802 | Rep Dist | 083 | Area | 01 | Beat | 06 | From Date | 06/03/2017 | From Time | 02:40 |
| Officer | 6232/CASTRO, RUBI | | | Assignment | INVEST/DET/SPEC VIC/DOM VIOL | | | | | | |
| 2nd Officer | MANZO, ARMANDO | | | Assignment | PATROL/SOUTH/CFS/WI | | | Entered by | 6232 | | |
| Confidential | DOMESTIC VIOLENCE | | | RMS Transfer | Successful | | | Prop Trans Stat | Successful | | |
| Approval Time | 09:45:32 | | | Approving Officer | 6232 | | | Approval Date | 09/15/2017 | | |

Narrative

On 09/08/17 at approximately 1028 hours, I (Detective R. Castro # 6232) re-contacted [REDACTED] via telephone.

Summary of Interview:

I asked [REDACTED] if he recalled telling me that Jeaninne Pearce had been a victim of stalking and threats. He stated "Yea to my knowledge". I asked him if he had evidence and he replied "No. It would just be conversations that I had with Council Member Pearce". I asked him whether he had texts or e-mails to provide and he stated "I could look through but we actually recently did a whole thing on this because of the PRA (Public Records Act) and I couldn't find anything that would apply to this".

I asked [REDACTED] whether he witnessed domestic abuse between Cotter and Pearce and he stated "No". [REDACTED] confirmed that he had access to Jeaninnes cell phone and her e-mails.

See attached CD-R

LONG BEACH POLICE DEPARTMENT



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LONG BEACH, CA 90802

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17-32687

Supplement No
0018

Reported Date
09/14/2017
Primary Offense
273.5 (A) PC
Officer
CASTRO, RUBI

Administrative Information

| | | | | | | | | | | | |
|---------------|------------------------------|----------|------------------|-----------------|---|---------------|-------------------|---------------|---------------|------------|------------------------------|
| Agency | LONG BEACH POLICE DEPARTMENT | DR No | 17-32687 | Supplement No | 0018 | Reported Date | 09/14/2017 | Reported Time | 09:01 | | |
| CAD Call No | 171540174 | Rpt Typ | FOLLOW-UP REPORT | Primary Offense | INFELICT CORP INJURY; SPOUSE/COHABITANT | | | | | | |
| Location | SB 710 FY/GOLDEN SHORE | | | | | | | City | LONG BEACH | | |
| ZIP Code | 90802 | Rep Dist | 083 | Area | 01 | Beat | 06 | From Date | 06/03/2017 | From Time | 02:40 |
| Officer | 6232/CASTRO, RUBI | | | Assignment | INVEST/DET/SPEC VIC/DOM VIOL | | | | | | |
| 2nd Officer | MANZO, ARMANDO | | | Assignment | PATROL/SOUTH/CFS/W1 | | | Entered by | 6232 | Assignment | INVEST/DET/SPEC VIC/DOM VIOL |
| Confidential | DOMESTIC VIOLENCE | | RMS Transfer | Successful | Prop Trans Stat | Successful | Approving Officer | 6232 | Approval Date | 09/19/2017 | |
| Approval Time | 09:01:13 | | | | | | | | | | |

Narrative

Per the request of Deputy District Attorney J. Johnson, I conducted a further investigation and obtain the following.

- PAS machine maintenance, calibration and usage log (PAS#038355)
- Statement from Toxicology Expert (Greg Gossage)
- California Highway Patrol Call History and Video/Witness updates.

On 08/30/2017, I received a Unit Call History (#170603LA00565) for CHP Unit C77-430. CHP Lt Doug Young advised me that dash cam footage for this incident was not recorded.

On 09/08/17, I (Detective R. Castro # 6232) contacted Long Beach Police Department Criminalist G. Gossage via e-mail and related the following request. For further see attached e-mail.

2 Calibration logs for PAS #038355 are included with this report.

On 09/14/17, I followed up with LBPD Traffic Section and was informed about PAS device service logs. PAS devices are typically replaced and not repaired when the device is completely inoperable. Therefore a service history could not be provided.

LONG BEACH POLICE DEPARTMENT



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LONG BEACH, CA 90802

Phone
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17-32687

Supplement No
0019

Reported Date
10/04/2017
Primary Offense
273.5 (A) PC
Officer
CASTRO, RUBI

Administrative Information

| | | | | | | | | | |
|---------------|------------------------------|----------|------------------|-----------------|--|---------------|------------|-------------------|------------|
| Agency | LONG BEACH POLICE DEPARTMENT | DR No | 17-32687 | Supplement No | 0019 | Reported Date | 10/04/2017 | Reported Time | 15:42 |
| CAD Call No | 171540174 | Rpt Typ | FOLLOW-UP REPORT | Primary Offense | INFLECT CORP INJURY; SPOUSE/COHABITANT | | | | |
| Location | 400 W BROADWAY | | | | | | | City | LONG BEACH |
| Zip Code | 90802 | Rep Dist | 092 | Area | 01 | Beat | 06 | From Date | 06/03/2017 |
| | | | | | | | | From Time | 02:40 |
| Officer | 6232/CASTRO, RUBI | | | Assignment | INVEST/DET/SPEC VIC/DOM VIOL | | | | |
| 2nd Officer | MANZO, ARMANDO | | | Assignment | PATROL/SOUTH/CFS/WI | | | | |
| Entered by | 6232 | | | Assignment | INVEST/DET/SPEC VIC/DOM VIOL | | | | |
| Confidential | DOMESTIC VIOLENCE | | | RMS Transfer | Pending | | | Approving Officer | 6232 |
| Approval Date | 10/04/2017 | | | Approval Time | 15:42:52 | | | | |

Narrative

On 10/04/17, I (Detective R. Castro # 6232) recovered a video visitation call from LBPJ Jail. The visitation video/call was conducted between DEFT Cotter (Booking # 5006173) and his father [REDACTED] on 08/03/17.

SUMMARY OF CALL/ VISITATION

VISITOR: Hello? I can't see your face, can you?

DEFT: Sorry there's a weird sound

VISITOR: Ok tell me what happened

DEFT: Its complicated, Jeaninne and I got into a fight and then apparently it turns out there was a warrant outstanding for me because of the DUI from you know 3 years ago. Uh so I have no idea what's going on with that but I called the bail.

VISITOR: Did you complete, did you complete all the requirements?

DEFT: I thought so, I mean the only requirements I didn't do were the ones that were required to get your drivers license back and I've been trying to get my drivers license back. So.

VISITOR: Who hit you in the face?

DEFT: Ugh, I don't want to get into that here.

VISITOR: It's a little late not to get into things. Where did this happen?

DEFT: Ugh well its not exactly like you and I have privacy here. I don't want to say things.

VISITOR: Ok, alright. So um I guess mom is handling the bail.

DEFT: Well I called a bail bonds agent, did they call you or..

VISITOR: Yes so then we had to verify. I thought initially it could be a scam or it could be legitimate. So we confirmed by calling the PD here that you're here and now I'm here and moms at home I guess signing a contract for bail.

DEFT: Ok, I wasn't expecting that to have to happen. I was hoping to at least be able to pay for part of it myself.

| | | | | |
|----------------|-------------------|------------|------------------|-------------|
| Report Officer | 6232/CASTRO, RUBI | Printed At | 11/28/2017 07:40 | Page 1 of 2 |
|----------------|-------------------|------------|------------------|-------------|

LONG BEACH POLICE DEPARTMENT**Narrative**

VISITOR: Well I don't think you could do that.

DEFT: I guess not but

VISITOR: Well you're probably qualified for a public defender. Have you talked to anybody yet?

DEFT: No. I mean, it's a, it's a, basically its LA Sheriffs Department put a warrant out for me due to the DUI for some sort of something or other and I have to figure out you know if its just a whatever requirement I need to fix it.

VISITOR: OK . Alright I don't know what more I can say if we cant talk about what happened. So Im gonna be out back in the waiting room. I don't know. Have you cleared for your background check?

DEFT: No I'm still waiting on it. They said it could take 6 to 8 hours, I got booked at 8 in the morning so you know its almost 4 o'clock now so ugh we will see.

VISITOR: Ok well Ill be in the lobby waiting.

DEFT: All right thank you so much. I'm so sorry this happened. I know this is an imposition on you and mom.

VISITOR: Mostly you than for us. Ok son Ill be waiting.

DEFT: Alright, thanks Dad. Bye.

In the video, DEFT Cotter is observed with visible injury over his right eye. See attached video.

No other videos were located.